

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7839 of 2017

Arising Out of PS.Case No. -125 Year- 2014 Thana -NAUTAN District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Dashrath Das Son of Late Mahesh Das.
 2. Lalsa Das @ Lalsa Devi Wife of Dashrath Das, Both are Resident of Village- Jhakhra Maniyari Tola, Police Station- Jagdishpur, District- West Champaran.
 3. Ragho Das Son of Sahdeo Das, Resident of Village- Noneya, Police Station- Paharpur, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7, Advocate.
For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

=====

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 23-02-2017 Heard learned counsel for the petitioners and learned
counsel for the State.

Petitioners apprehend their arrest in connection with
Nautan Jagdishpur P.S. Case No. 125 of 2014 registered under
Sections 341,323,307,379/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that
petitioners have falsely been implicated in the present case.
During investigation the petitioners were allowed police bail and
the charge sheet has been submitted for the offence u/s 307 and
other sections of the I.P.C. The petitioners have not misused the
privilege of police bail. Hence they should be allowed to remain



on anticipatory bail. He has relied upon the decisions of this Hon'ble Court in case of **Mahandra Prasad Gupta vs. State of Bihar** reported in **2004(3) PLJR 491**.

Learned Addl. P.P. appearing for the State opposes the prayer for bail and submits that the petitioner is on police bail hence this application is not maintainable.

Considering the facts and circumstances of the case and the submissions advanced on behalf of the State, I do not feel inclined to grant the privilege of anticipatory bail to the petitioner. His prayer for anticipatory bail is, therefore, rejected. However, the trial Court may pass order in light of decision of this Court reported in **2004(3) PLJR 491 (Mahandra Prasad Gupta vs. State of Bihar)**.

(Arvind Srivastava, J)

Prakash/-

U			
---	--	--	--

