

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.22868 of 2017

Arising Out of PS.Case No. -191 Year- 2015 Thana -JANDAHA District- VAISHALI(HAJIPUR)

- =====
1. Hemant Singh son of Mahendra Singh
 2. Mahendra Singh, son of late Guru Sharan Singh
 3. Dhanpat Singh son of Ram Das Mahto
 4. Sunil Singh @ Sunil Kumar son of Harendra Singh
 5. Anil Singh @ Anil Kumar Singh son of Harendra Singh
 6. Harendra Singh son of Ramphal Singh
- All R/o village- Mahipura, P.S. Jandaha, District- Vaishali

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Sri Kanhaiya Kishore

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 06-07-2017 Heard learned counsel for the petitioners and learned counsel representing the State.

Petitioners apprehend their arrest in connection with Jandaha P.S. Case No.191 of 2015 registered for the offences punishable under Sections 147, 148, 149, 448, 341, 323, 324, 307, 504, 506, 380, 376 and 511 of the Indian Penal Code.

At the very outset, it is submitted that the petitioners have been granted privilege of Section 41 (1) of the Cr.P.C. and as such in that view of the matter the petitioners may be directed to surrender and seek regular bail as they have not misused the privilege of bail.

Learned APP submits that in view of the above facts



this anticipatory bail is not maintainable.

In the facts and circumstances stated above, the petitioners above named are directed to surrender before the court of learned Additional Chief Judicial Magistrate II, Vaishali at Hajipur and seek regular bail then in that case their prayer of regular bail shall be considered considering that they have not misused the benefits granted under Section 41 (1) of the Cr.P.C. and further they have not misused the privilege of the same.

Accordingly, this application is disposed of with the aforesaid observations.

(Jitendra Mohan Sharma, J)

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