

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.22757 of 2017

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

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1. Punam Kumari, W/o Hemant Singh,
2. Kanika Bharti, D/o- Hemant Singh,
Both are Residents of Village- Mahipur, 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 Satyadev Prasad Singh Yadav

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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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