

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.30676 of 2017

Arising Out of PS.Case No. -20 Year- 2010 Thana -BALUA BAZAR District- SUPAUL

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1. MAJHAR HUSSAIN @ MAZHAR HUSSAIN, son of Late Md. Ayub Rahmani,
2. Md. Akil Anwar @ Akil Ahamed @ Akil Ahmad, son of Murshid Alam,
3. Mumtaz Safi @ Mumtaz Alam @ Bechan Safi, son of Sahabuddin Safi,
all resident of Madhubani, P.S.- Balua Bazar, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabindra Kumar Priyadarshi

For the Opposite Party/s : Mr. Sanjay Kumar Sharma

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER**

3 12-07-2017 Heard learned Counsel for the petitioners and

learned Additional Public Prosecutor representing the State
of Bihar.

The petitioners had earlier approached this Court for grant of anticipatory bail, which was dismissed as withdrawn by an order, dated 28.08.2015, passed in Criminal Misc. No. 41650 of 2014. The present application has been filed on 03.07.2017 again for the same relief, i.e. grant of anticipatory bail.

Learned Counsel appearing on behalf of the petitioners has submitted that the anticipatory bail application was withdrawn because the matter was being



investigated by the C.I.D. and there was no apprehension of their arrest.

Considering the fact that the petitioners are an accused in a case registered for the offences punishable under Section 302 of the Indian Penal Code, considering the Supreme Court's decision in the case of **Jai Prakash Singh v. State of Bihar and Another**, reported in **(2012) 4 SCC 379**, I am not inclined to grant the petitioner privilege of anticipatory bail.

This application for anticipatory bail, is hereby, rejected.

The petitioners, above named, are directed to surrender before the Court below within a period of four weeks from today and seek regular bail, if so advised. If they do so, their application for regular bail shall be considered by the learned Court below on its own merit without being prejudiced by rejection of present application for grant of anticipatory bail.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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