

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38218 of 2017

Arising Out of PS.Case No. -158 Year- 2016 Thana -BARAULI District- GOPALGANJ

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1. Pintu Sah @ Mintu Sah, Son of Late Heera Lal Sah,
 2. Ranjeet Sah @ Ranjeet Kumar, Son of Late Vishun Sha,
 3. Bhola Sah Son of Late Ramchandra Sah,
 4. Umesh Sah Son of Vishundeo Gond,
- All R/o Village- Madhopur, P.S.- Barauli (Madhopur O.P.), District-
Gopalganj.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyendra Rai, Adv.
For the Informant : Mr. Javed Aslam, Adv.
For the Opposite Party/s : Mr. Satyavarat Verma, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 17-08-2017 Heard learned counsel for the petitioners and learned
counsel for the State.

Petitioners apprehend arrest in connection with
Barauli P.S. Case No. 158 of 2016, G.R. No. 2305 of 2016, Tr.
No. 1861 of 2016 registered for the offences under sections 147,
341, 323, 504 and 354 of the Indian Penal Code.

It appears from the impugned order passed by the
learned 6th Additional Sessions Judge, Gopalganj in A.B.P.
No.1069 of 2017 that the petitioners were on Police bail and after
investigation, the Police submitted charge sheet also for the
offence under section 354 of the Indian Penal Code. The



petitioners apprehending arrest, filed anticipatory bail petition before the Court below, which has been rejected. The application of anticipatory bail cannot be held to be maintainable in view of the fact that petitioners were allowed bail by the Police. In the facts and circumstances of the case, they are directed to appear before the Court below without any delay. In case, they appear before the Court below within six weeks, then the Court below shall consider their prayer for bail in accordance with law keeping in view the well settled principle that a person, who is already on bail, shall not be denied such privilege unless there is any allegation of misuse etc..

With the above observation and direction, this criminal miscellaneous application is disposed of.

(Sanjay Kumar, J)

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