

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55249 of 2016

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1. Sudha Lal, Wife of Sri Birendra Kumar Lal,
2. Minakshi Kumari, Daughter of Sri Birendra Kumar Lal
3. Dr. Birendra Kumar Lal, Son of Late Dev Narayan Lal, all are resident
of Village- Punaura house No. 92, P.S.- Town, Dist.- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Ranjan

For the Opposite Party/s : Mr. Sri Iftekhar Mahmood

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 25-01-2017 Heard Sri Vinay Ranjan , learned counsel for the
petitioners and learned Additional Public Prosecutor .

The present petition has been filed with a prayer to
modify the order dated 1.12.2016 passed in Cr. Misc. No. 20013
of 2016 . By the said order prayer for grant of anticipatory bail of
petitioners in Sitamarhi P.S. Case No. 72 of 2016 registered for
the offence under Section 419, 420, 467, 468, 379, 120(B), 284,
276 of Indian Penal Code , Section 18(A), 18(B), 18 (c) , 17,
17(A) , 17 (B) 27(A), 27(B) , 27(c) , 27(d), 28, 28(A) of the
Drugs and Cosmetic Act 1940 & Amendment Act, 2008, Sections
18 (a) (vi), 27(d) of DMR Act, 1954, Sections 3, 4, 5, 7, 9A, 36Ac,
30 of DPCO Act, 1995 and Sections 108 & 22(b) of the Narcotic
Drugs & Psychotropic Substances Act, 1985 (for short “NDPS



Act”) was rejected.

Learned counsel for the petitioners tried to persuade the Court that bail was rejected on the ground that charge sheet was already submitted whereas according to learned counsel for the petitioners on the date of order no charge sheet was submitted against these petitioners.

Besides hearing I have perused the order dated 1.12.2016. It is better to quote last paragraph of the order, which is as follows:-

“Besides hearing, I have also perused the materials on record. After going through the materials on record, the Court is not at all inclined to extend the privilege of anticipatory bail. Moreover, once charge sheet has already been submitted, in normal course, anticipatory bail petition may not be entertained.”

On noticing the aforesaid fact it is evident that prayer for anticipatory bail was not rejected on the ground of submission of charge-sheet. First three lines categorically indicates that materials were sufficient for refusal of anticipatory bail.

The modification petition stands dismissed.

(Rakesh Kumar, J)

Praful/-

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