

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53463 of 2017

Arising Out of PS.Case No. -1204 Year- 2001 Thana -BEGUSARAI COMPLAINT CASE District-
BEGUSARAI

- =====
1. Md. Noor Alam, son of Md.Sharif
 2. Md. Qaishar, son of Md. Idrish
 3. Md.Firdos Alam, son of Md. Idrish
- All 1 to 3 are r/o village Salempur, P.S. Barauni, Distt. Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar
2. Md. Shabir, son of Md. Nashimuddin, r/o village Salempur, P.S. Barauni, Distt. Begusarai.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate.
For the Opposite Party/s : Mr. Bharat Bhushan, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 21-11-2017 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in **Begusarai**
Complaint Case No. 1204C of 2001 instituted for the offence
under Sections 323 and 364 of the Indian Penal Code.

It has been submitted that prayer for anticipatory bail
of the petitioners was earlier dismissed as withdrawn on
25.11.2004 with liberty to seek regular bail. It has further been
submitted that the victim boy has returned and has given his
statement in the court below and, therefore, on this ground alone,
this second anticipatory bail application of the petitioners has been



filed.

The case is of the year 2001. It appears that since the order dated 25.11.2004, the petitioners have not surrendered before the court below.

Therefore, this Court is not inclined to consider this second anticipatory bail after lapse of 13 years of the 1st anticipatory bail which was dismissed as withdrawn on 25.04.2011.

The prayer for anticipatory bail of the petitioners stands rejected.

Petitioners are directed to surrender before the court below and make prayer for regular bail which shall be considered by the court below in accordance with law without being prejudiced by this order.

(Sanjay Priya, J)

S.Ali/-

U		T	
---	--	---	--

