

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.35553 of 2017

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1. Rubi Kumari, D/o Babua Narayan Paswan @ Babua Paswan,
2. Madhu Kishor Paswan @ Madhu Kishore Paswan, S/o Babua Narayan
Paswan @ Babua Paswan, Both are resident of Village- Parmanandpur,
P.S.- Muffasil, District- Khagaria.

.... Petitioner/s

Versus

1. The Vigilance Department, Bihar, Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate

For the Opposite Party/s : Mr. Ramakant Sharma (L.O.,I/C Vigilance)

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 02-08-2017 Heard learned counsel for the petitioners.

This is a third attempt made by the petitioners for grant of anticipatory bail in connection with Mansi Police Station Case No. 233 of 2016 registered for the offence under Sections 467, 468, 471, 204, 420 and 120B/34 of the Indian Penal Code.

It has been submitted by learned counsel for the petitioners that earlier twice the petitioners moved for grant of anticipatory bail and their prayer has been rejected by this Court, vide order dated 20.02.2017 passed in Cr. Misc. No. 7467 of 2017 and vide order dated 22.03.2017 passed in Cr. Misc. No. 14009 of 2017 respectively with an observation that petitioners will surrender before the Court below within a period of four weeks, make prayer for regular bail, which shall be considered on its own merit and also considering the materials available on the record and considering the fact that one of the petitioner is lady, the learned Court below shall dispose of the prayer of bail of the



petitioners without being prejudiced by this order.

Heard also the learned counsel for the Vigilance.

Learned counsel for the Vigilance has submitted that petitioners have not surrendered before the Court below and again moved for anticipatory bail before this Court stating that another co-accused has been granted anticipatory bail by another co-ordinate Bench of this Court.

Having heard both sides, I am not inclined to grant anticipatory bail to the petitioners as once an order has been passed to surrender, petitioners should surrender and make prayer for regular bail.

As such, let petitioners surrender before the Court below within a period of two weeks from today and pray for bail which will be considered on the basis of the observations already made in order dated 20.02.2017 passed in Cr. Misc. No. 7467 of 2017 and 22.03.2017 passed in Cr. Misc. No. 14009 of 2017 respectively.

This application is, accordingly, disposed of.

(Vinod Kumar Sinha, J)

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