

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14691 of 2017

Arising Out of PS.Case No. -22 Year- 2016 Thana -SC/ST District- -

- =====
1. Chhote Kumar @ Krishnandan Kumar @ Krishan Ranjan Kumar
 2. Nanhe Kumar @ KUndan Kumar. Both are Sons of Ram Prasad Sharma
Resident of Village-Jhurathi, P.S.-Parasbigha District-Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Smt. Usha Kumari No.I, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 26-04-2017 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The Petitioners are apprehending their arrest in
Jehanabad SC/ST Act P.S. Case No.22 of 2016, registered for the
offences punishable under Sections 341/342/504/34 of the Indian
Penal Code and Section 3(i)(5) of the Prevention of Scheduled
Caste and Scheduled Tribes Atrocities Act, pending in the Court
of Chief Judicial Magistrate, Jehanabad.

Learned counsel for the petitioners prays for withdrawal
of this application for the reason that petitioners are already on
police bail. Hence, this anticipatory bail application is not
maintainable in view of the judgment of this Court in **Mahendra
Prasad Singh V. The State of Bihar**, reported in **2004(3) PLJR**



491. There is no reason that in the event of surrender of the petitioner the Court-below would send him to jail especially when there is material to substantiate that the petitioner has not misused the privilege of bail granted by the police.

Accordingly, the application is disposed of.

(Birendra Kumar, J)

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