

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33981 of 2018

Arising Out of PS.Case No. -55 Year- 2011 Thana -MAHESHKHUNT District- KHAGARIA

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1. Rajendra Yadav, S/o Bhujangi Yadav,
2. Suman Yadav, S/o Saryug Yadav, Both Resident of Village- Harangi
Tola, P.S.- Gogri, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh

For the Opposite Party/s : Mr. Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 28-06-2018 Heard both sides.

The petitioners apprehend their arrest in Maheshkhut
P.S. Case No.55 of 2011 registered under Sections 147, 341, 323,
283, 353, 504, 506 of the Indian Penal Code.

The learned counsel for the petitioners submits that
similarly situated co-accused have already been granted
anticipatory bail vide order dated 09.04.2012 passed in Cr. Misc.
No.11934 of 2012 but the petitioners could not surrender in the
court below as they had gone outside their village to earn their
livelihood.

Taking into consideration the facts that the case is of
the year 2011 and the petitioner moved for anticipatory bail after



seven years, although they were given privilege of 41 of Cr.P.C., I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the same is dismissed.

If the petitioners surrender in the court below, the learned court below shall consider the regular bail of the petitioners taking into consideration the fact that similarly situated accused persons have already been enlarged on anticipatory bail vide order dated 09.04.2012 passed in Cr. Misc. No.11934 of 2012.

(Prabhat Kumar Jha, J)

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