

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39103 of 2018

Arising Out of PS. Case No.-269 Year-2018 Thana- CHAPRA TOWN District- Saran

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1. Nirshu Narayan Singh, Son of Late Jai Narayan Singh, Resident of Village- Kakrahata, Police Station- Dariyapur, at present Derni, District- Saran.
 2. Chandeshwar Manjhi, Son of Late Sonachand Manjhi, Resident of Village- Mahammadpur, Police Station- Dariyapur, District- Saran.
 3. Ravindra Singh, Son of Late Jagat Singh, Resident of Village- Mahammadpur, Police Station- Dariyapur, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Sri Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 05-07-2018 Heard learned counsel for the petitioners and learned APP
for the State.

Petitioners apprehend their arrest in Chapra Town P.S.
case no. 269 of 2018 instituted for the offence under Section(s)
224, 188 and 353 of the Indian Penal Code.

In the written report, it is alleged that the petitioners had
surrendered in the Court below at Sonapur on 22.05.2018 in
Sonapur P.S. case no. 30 of 2018. The prayer of bail of the
petitioner was rejected. He was ordered to be taken into
custody. The petitioners put their signature on the record after
rejection of the bail petition. In spite of efforts made by the
Bench Clerk, Stenographer and Deposition writer the



petitioners fled away after dashing the orderly peon who is informant of this case.

Learned counsel for the petitioners pointed out Annexure-3 and submitted that petitioners have surrendered in the court below in terms of order dated 05.05.2018 passed in ABP no. 1123 of 2018. From perusal of the aforesaid order, it appears that petitioners were not granted anticipatory bail by aforesaid order. The Court has merely observed in that order that petitioners may surrender and make prayer for regular bail.

In this manner, the bail of petitioners was rejected by the court below on their surrender. But the petitioners fled away from custody of the Court.

Therefore, this Court does not find it a fit case for grant of anticipatory bail. Prayer for anticipatory bail of the petitioners stand rejected.

Petitioners may surrender before the Court below and make prayer for regular bail which shall be considered and disposed off on its own merit in accordance with law without being prejudiced by the present order.

(Sanjay Priya, J)

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