

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32 of 2018

Arising Out of P.S.Case No. -53 Year- 2016 Thana -MASRAKH District- SARAN

- =====
1. PARDESHI PRASAD @ PARDESHI KUMAR PRASAD,
 2. Bipin @ Bipin Prasad.
 3. Ranjit Kumar @ Ranjit Prasad, All are S/o Late Radha Prasad, All are resident of Village- Durgauli, P.S. Mashrak, District- Saran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Rajesh Roy, Advocate

For the Opposite Party : Mr. Ahtash Ali Khan, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 01-02-2018 Heard.

The petitioners apprehend arrest in connection with Mashrak P.S.Case No.53 of 2016 pending in the Court of ACJM-VIII, Saran at Chapra registered for an offence under Section 379 and other ancillary Sections of the IPC.

From para-25 of the case diary, it appears that all the petitioners are on police bail. In such circumstance, this anticipatory bail is not maintainable, as has been held by this Court in the case of Mahendra Prasad Singh vrs. The State of Bihar reported in 2004(3) PLJR 491.

The petitioners are directed to appear before the court below within six weeks from today where his prayer for bail shall



be considered in accordance with law keeping in view of the well established principles that a person who is already on bail shall not be denied such privilege unless there is any allegation of misuse etc.

With this observation, this application for anticipatory bail is disposed of.

(Sanjay Kumar, J)

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