

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47985 of 2018

Arising Out of PS.Case No. -20 Year- 2017 Thana -KOTWA District- EASTCHAMPARAN
(MOTIHARI)

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1. Subash Pandey, Son of Late Nageshwar Pandey,
2. Sunil Pandey, Son of Parash Pandey,
3. Guddu Pandey @ Rajesh Kumar Pandey @ Guddu Kumar Pandey, Son of Rameshwar Pandey,
4. Birendra Pandey @ Birendra Kumar Pandey, Son of Late Jagarnath Pandey, All resident of Village- Dumra, P.S.- Kotwa, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate.

For the Opposite Party/s : Mr. Anish Chandra, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 26-09-2018 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners have renewed their application under Section 438 of the Code of Criminal Procedure for grant of pre-arrest bail in connection with Kotwa P.S. Case No. 20 of 2017 registered under Section 341 & 323 of the Indian Penal Code. A similar application for bail preferred by them was earlier rejected by this Court vide order dated. 01.07.2017 passed in Cr. Misc. No. 25181 of 2017. Since then the petitioners have not appeared before the court though the investigation is complete and they have been



sent up for trial and on perusal of the police report, the jurisdictional Magistrate has already taken cognizance of the offences.

No new ground has been advanced for re-consideration of the prayer made under Section 438 of the Code of Criminal Procedure.

In that view of the matter, I see no reason to take a different view of the matter. The application is once again rejected. The petitioners are directed to surrender and seek bail. In case they surrender before the court below, the same shall be considered on merits without being prejudiced in any manner by this order.

(Ashwani Kumar Singh, J)

Pradeep/Sneha

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