

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37219 of 2018

Arising Out of PS.Case No. -41 Year- 2013 Thana -NALANDA District- NALANDA
(BIHARSHARIFF)

- =====
1. Indradeo Yadav @ Indradeo Prasad Yadav, son of Shivnandan Yada,
 2. Chandeshwar Yadav, son of late Ramji Yadav,
 3. Krishnandan Bind, son of late Raghunandan Bind, all resident of village-Tulsi Bigha, P.S.-Nalanda, District- Nalanda.

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : Mr. Parmanand Prasad, APP

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 27-06-2018

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Nalanda P.S.**

Case No.41 of 2013 instituted for the offence under Section(s)

147, 323, 325, 307, 353, 379 Indian Penal Code pending in the

Court of the **Judicial Magistrate, 1st class, Nalanda,**

Biharsharif.

Prayer of the petitioners for grant of anticipatory bail was earlier refused by this Court by order dated 31.01.2018 passed in Cr. Misc. No.56078 of 2017.

Counsel for the petitioners has submitted that in the instant case petitioners were given benefit of Section 41(1) Cr. P.C. by the police during investigation. Although charge-sheet



has been submitted on 30.08.2013, but cognizance has been taken by the learned Court below on 05.06.2017. Therefore, petitioners could not appear in the Court during the aforesaid period.

Since prayer of the petitioners for grant of anticipatory bail has already been rejected by this Court, this Court is not inclined to entertain this second anticipatory bail application.

Prayer of the petitioners for grant of anticipatory bail is **rejected**.

Petitioners are directed to surrender before the Court below within a period of four weeks from the date of receipt of copy of this order and seek regular bail, which shall be considered and disposed off by the learned Court below, preferably on the same day, after taking into consideration the fact that there is general and omnibus allegation against the petitioners and they were given benefit of Section 41(1) Cr. P.C. by the police during investigation.

(Sanjay Priya, J)

JA/-

U		T	
---	--	---	--

