

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.36067 of 2018**

Arising Out of PS.Case No. -7 Year- 2018 Thana -JALALPUR District- SARAN

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1. Ram Praveen Rai  
2. Lal Bahadur Rai Both S/o late Innar Rai  
3. Kamlesh Prasad S/o Shivji Rai  
4. Brahmdeo Prasad S/o late Nathu Prasad R/o Vill- Manpur, P.S. Jalalpur,  
Distt. Saran.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Amresh Kumar Sinha

For the Opposite Party/s : Mr. Sri S. Ehteshamuddin

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

3      31-07-2018              At the very outset, submission of learned counsel for the petitioners is that petitioner no. 3 has been arrested during pendency of this application and as such this application so far petitioner no. 3 is concerned, has become infructuous and he sought permission to withdraw the present application so far petitioner no. 3 is concerned.

In such view of the matter, so far petitioner no.3 is concerned this application is dismissed as withdrawn having become infructuous.

So far other petitioners are concerned, they are apprehending their arrest in connection with Jalalpur P.S. Case No. 7 of 2018, registered for offences punishable under Sections



157, 461, 379, 436 and 506 of the Indian Penal Code.

Allegation against the petitioners is of putting the shop of the informant on fire and also damaging the articles.

Submission of learned counsel for the petitioners is that there is no eye witness of the occurrence and a case has been lodged by the petitioners' side against the informant.

Heard learned A.P.P. also, who opposed the prayer for anticipatory bail application by stating that the I.O. has found the shop in burnt condition, moreover one of the witness has also named the petitioner.

Having heard both sides, considering the facts and circumstances of the case and the nature of accusation, I am not inclined to grant privilege of anticipatory bail to the petitioners rather they should surrender before the Court below and make prayer for regular bail which would be considered on its own merit.

Accordingly, this application is dismissed.

**(Vinod Kumar Sinha, J)**

sunil/Amjad/-

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