

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46394 of 2018

Arising Out of PS.Case No. -123 Year- 2018 Thana -AJAMNAGAR District- KATIHAR

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1. Bodhinath Yadav @ Baijnath Yadav, S/o Hariman Yadav,
2. Amit Yadav S/o Majanu Yadav @ Dinbandhu Yadav, Both R/o Vill.-
Kaliganj, P.S.- Azamnagar, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sushil Kumar Singh

For the Opposite Party/s : Smt. Madhuri Lata

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 13-09-2018 The petitioners are apprehending their arrest in connection with Azamnagar P.S. Case No. 123/18 registered for offences punishable under Sections 302, 201/34 of the Indian Penal Code.

At the very outset, learned counsel for the State has submitted that in this case process under Section 82 Cr.P.C. has already been initiated, as such, this anticipatory bail application is not maintainable.

On the other hand, learned counsel for the petitioners has submitted that similarly situated co-accused of this case has already been granted the privilege of anticipatory bail by a coordinate Bench of this Court vide order dated 31.08.2018 passed in Cr. Misc. No. 47954 of 2018.



Considering, the fact that in this case process under Section 82 has already been initiated, I am not inclined to grant the privilege of anticipatory bail to the petitioners rather petitioners should surrender before the court below and pray for regular bail, which will be considered on the merit of the case.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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