

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11573 of 2019**

Arising Out of PS. Case No.-7 Year-2016 Thana- KARJAIN District- Supaul *

1. Md. Jibrail, Son of Md. Shakoor
 2. Md. Naim, Son of Md. Shakoor
 3. Md. Israil, Son of Md. Shakoor
- All are residents of Village- Boraha, P.S.- Karjain, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. Sanjay Kumar Sharma

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 26-02-2019 Heard learned Counsel for the Petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Karjain Police Station Case No. 07 of 2016, disclosing offences under Sections 147, 149, 341, 323, 447, 504 and 379 of the Indian Penal Code.

Learned Counsel for the petitioner very fairly agrees that this application for anticipatory bail cannot be maintained.

The petitioners were earlier on bail in connection with the said case. After completion of investigation, the police have submitted charge sheet. Once they were on bail and charge sheet has been submitted under Section 307 of the Indian Penal Code,



unless there is any allegation of misuse of privilege of regular bail, which they were availing, there is no reason why the Court below shall not enlarge the petitioners on bail if they surrender, keeping in mind this Court’s decision in the case of **Mahendra Prasad Singh v. the State of Bihar**, reported in **2004 (3) PLJR 491**.

This application stands disposed of accordingly.

(Chakradhari Sharan Singh, J.)

ragini/-

U	√	T	√
---	---	---	---

