

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40625 of 2019

Arising Out of PS. Case No.-279 Year-1999 Thana- ARARIA District- Araria

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1. Ashlam @ Md. Ashlam S/o Late Mohiuddin R/o village- Jhamta, P.S.- Tarabari, District- Araria
 2. Rahmati W/o Ashlam R/o village- Jhamta, P.S.- Tarabari, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-07-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have renewed the prayer for anticipatory bail in a case registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

Earlier petitioners had preferred Cr. Misc. No. 11797 of 2013 with a prayer for anticipatory bail on the ground that the accusation was found false and final form was submitted but differing with the same, the cognizance was taken, but since the case was registered in the year 1999 and anticipatory bail application was preferred in the year 2013, this Court vide order dated 22.04.2013 disposed of the application with a liberty to the petitioners to surrender before the learned Court below



within a period of six weeks and the learned Court below was given liberty to dispose of the regular bail application of the petitioners preferably on the same day. This Court finds no ground to entertain the second anticipatory bail application.

However, learned counsel for the petitioners confines his prayer only to the extent of extending the period of surrender.

In the circumstances, this application is disposed of and the period of surrender is extended by four weeks from the date of receipt/production of a copy of this order in connection with Araria P.S. Case No. 279 of 1999, pending in the Court of learned Chief Judicial Magistrate, Araria.

The learned Court below may consider the prayer for regular bail of the petitioners keeping in view the fact that the final form was submitted and the petitioners were not sent up for trial, but differing with the same, process was issued against the petitioners after cognizance being taken.

(Dinesh Kumar Singh, J)

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