

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48596 of 2019

Arising Out of PS. Case No.-36 Year-2011 Thana- JOKIHAT District- Araria

1. ABDUL WAHAB S/O- Late Athar Ali @ Azhar Ali Resident of village- Isarwa, Ward No. 7 (Chokta), P.S. Baigachhi, District- Araria.
2. Bibi Firoza Khatoon @ Firoza Khatoon W/O- Abdul Wahab Resident of village- Isarwa, Ward No. 7 (Chokta), P.S. Baigachhi, District- Araria.
3. Dilbari @ Dilwari @ Dilwari Khatoon @ Bibi Dilwari D/o- Abdul Wahab Resident of village- Isarwa, Ward No. 7 (Chokta), P.S. Baigachhi, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 05-08-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Jokihat (Mahalgaon) P.S. Case No. 36 of 2011 (GR No. 410 of 2011), disclosing the offence under Sections 147, 148, 149, 341, 342, 323, 225, 224, 353, 186, 187, 337 of the Indian Penal Code.

The petitioners are ladies. They had approached the court of learned Sessions Judge, Araria earlier in 2013 for grant of anticipatory bail, which was rejected. They again made such prayer in 2019, which has been rejected by the learned Additional Sessions Judge-V, Araria in the background of earlier



rejection of the anticipatory bail on behalf of the petitioners.

Considering the delay of 8 years in approaching the Court for grant of anticipatory bail, I am not inclined to entertain this application only on the ground of delay and laches.

This application is accordingly rejected.

However, considering the fact that the petitioners are ladies and some other persons named in the FIR have been allowed anticipatory bail, it is directed that if the petitioners surrender before the Court below within four weeks from today and seek regular bail, if so advised, their application for regular bail shall be considered on its own merit on the same day without being prejudiced by rejection of the present application for grant of anticipatory bail by this Court.

(Chakradhari Sharan Singh, J)

Rajesh/-

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