

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48842 of 2019

Arising Out of PS. Case No.-172 Year-2017 Thana- MANSI District- Khagaria

1. Guddu Yadav, Son of Late Mohan Yadav @ Mohan Prasad Yadav, Resident of Village - Raghunathpur, P.S.- Sahebpur Kamal, District - Begusarai, At present Residing at Mohalla - Hazipur, Ward No.- 12, P.S. and District - Khagaria.
2. Ashish Yadav, Son of Late Mohan Yadav @ Mohan Prasad Yadav, Resident of Village - Raghunathpur, P.S.- Sahebpur Kamal, District - Begusarai, At present Residing at Mohalla - Hazipur, Ward No.- 12, P.S. and District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate
For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 06-08-2019 This is an application for grant of anticipatory bail in connection with Mansi P.S. Case No. 172 of 2017, disclosing offences under Sections 364, 302, 201, 120B, 34 of IPC.

The case relates to the murder of the husband of the informant and petitioners are named in the F.I.R. It further appears that after investigation the case was not found true against these petitioners, rather against other accused persons, but the learned Magistrate has taken the cognizance against these petitioners also.

Submission of the learned counsel for the petitioners is that the other co-accused persons, namely, Mangli Devi and



Manish Kumar, against whom there are materials, have been granted privilege of anticipatory bail by Co-ordinate Benches of this Court, vide order dated 19.01.2018 passed in Criminal Misc No. 1205 of 2018 and vide order dated 02.08.2019 passed in Criminal Misc. No. 44737 of 2018, respectively. Further, on perusal nothing against these petitioners.

Heard learned A.P.P. also, who has opposed the prayer for anticipatory bail on the ground that now cognizance has been taken against these petitioners, they are named in the F.I.R and they have moved for anticipatory bail, as such, they should surrender before the learned court below and make prayer for regular bail.

Having heard both sides, in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioners, however, if they move before the learned court below for regular bail, that shall be considered by the learned court below on the basis of materials available on the record against these petitioners as well as the fact that there is submission of the petitioners that the co-accused persons have already been granted privilege of anticipatory bail, considering the same, the learned court below dispose of the bail application of the petitioners, if possible, on



the same day.

With the aforesaid, this application is disposed of.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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