

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78747 of 2019

Arising Out of PS. Case No.-179 Year-2018 Thana- GAYA KOTWALI District- Gaya

1. BEAUTI SINHA @ BEAUTY SINHA W/o Pradeep Kumar Resident of Village - Samir Takiya, Gabra Par, P.S.- Civil Line, Dist.- Gaya.
2. Pradeep Kumar Son of Lala Satya Narayan Prasad Resident of Village - Samir Takiya, Gabra Par, P.S.- Civil Line, Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar Biah

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Veer

For the Opposite Party/s : Mr.Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 03-12-2019 Heard learned counsel for the parties.

The petitioners are apprehending their arrest in connection with Kotwali P.S.Case No.179 of 2018 dated 4.4.2018 registered for offences punishable under Sections 420, 406/34 of the Indian Penal Code.

As per the complaint case, there is allegation against the petitioner that they sold the land to the informant/complainant of the case, knowing well that they have already mortgaged the same land.

Submission of the learned counsel for the petitioners is that the learned court below has granted provisional bail to them and under the wrong advice, the petitioners appeared



before the learned Chief Judicial Magistrate and thereafter vide order dated 11.3.2019, the provisional bail was cancelled.

Heard learned A.P.P. and perused the record, from which it appears that the provisional bail was granted to the petitioner for a period of three months on his surrender or arrest within 25 days thereafter the petitioners have appeared and later on it appears that vide order dated 11.3.2019 the provisional bail was cancelled..

Having heard both sides and in view of the facts and circumstances, as stated above, once the petitioner has surrendered and granted provisional bail, this anticipatory bail application is not maintainable. Petitioner has to surrender before the learned court below and make prayer for regular bail, which will be considered by the learned court below on the basis of the above facts and also on submission that they are ready to settle the dispute .

With the aforesaid direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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