

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28870 of 2020

Arising Out of PS. Case No.-81 Year-2017 Thana- SAHARSA COMPLAINT CASE District-
Saharsa

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1. DR. RAM KUMAR RAI @ R.K. JHA @ RAM BINAY RAI S/o Chhote Lal Rai Resident of Village-Murli Basantpur, Tola Murlibharna, Police Station-Bangaon, District-Saharsa.
2. Babita Jha @ Babita W/o Dr. Ram Kumar Rai Resident of Village-Murli Basantpur, Tola Murlibharna, Police Station-Bangaon, District-Saharsa.
- Petitioner/s
- Versus
- The State of Bihar Opposite Party/s
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Appearance :

For the Petitioner/s : Mr. Anil Kumar Mukund, Adv.
For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 10-12-2020 Heard Mr. Anil Kumar Mukund, learned counsel for the petitioner and Mr. Ashok Kumar Singh, Additional Public Prosecutor for the state through video conferencing.

2. Petitioners apprehend their arrest in connection with Complaint Case No. 81(C) of 2017 in which cognizance under Sections 120 (B) and 420 (B) of the IPC has been taken.

3. Learned counsel for the petitioners submits that by order dated 11.05.2018 passed in Cr. Misc. No. 16402/2018, one of the co-ordinate Benches of this Court was pleased to grant anticipatory bail to the petitioners but the petitioners could not surrender due to an accident they had met with, and the order granting anticipatory bail was extended by this Court on 27.06.2018 vide Cr. Misc. No. 37196/2018 for a period of eight



weeks directing the petitioners to surrender before the court below and to furnish bail bonds.

4. It appears that petitioners, despite the fact that the period of surrender was extended by this Court, did not surrender and furnish bail bonds and now, a fresh application for anticipatory bail has been filed on their behalf taking a plea that the parties have entered into a compromise.

5. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that anticipatory bail to the petitioners was granted by this Court and the petitioners did not surrender before the court below for furnishing bail bonds, I am not inclined to entertain a fresh application for anticipatory bail filed on behalf of petitioners after so many years. Accordingly, the same is rejected.

6. However, petitioners, may surrender before the court below within four weeks and seek regular bail which may be considered on its own merit without being prejudiced to the fact that the present application for anticipatory bail of the petitioners has been rejected by this Court.

(Anil Kumar Sinha, J)

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