

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17166 of 2021**

Arising Out of PS. Case No.-401 Year-2017 Thana- BIHIA District- Bhojpur

1. Suman Devi W/O Lakshman Yadav R/O Village-Ramdatahi, P.S.-BIHIYA, District-Bhojpur.
2. Sarita Devi @ Saritiya Devi @ Sirato Devi W/O Jeeut Yadav R/O Village-Ramdatahi, P.S.-BIHIYA, District-Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hari Shankar Roy, Advocate

For the Opposite Party/s : Mr.APP

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER**

2 28-07-2021 Heard learned counsel for the petitioners and learned counsel for the State through virtual mode.

Counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.

The earlier anticipatory bail application of the petitioners was rejected by order dated 29.10.2018 vide Annexure 1 to the present application, in connection with Bihiya P.S. case No.401 of 2017 pending in the court of A.C.J.M. Vth, Bhojpur, Ara.

This is the second attempt for anticipatory bail filed on behalf of the petitioners approximately after a period of three



years.

It has been submitted on behalf of the petitioners that vide Annexure 3 to the present application, the informant has retracted from his earlier statement made in the F.I.R. The said petition of the informant was made by him in the court below as back as on 13.06.2018.

Considering the fact that the present application has been filed approximately after a period of three years, I find that it is an abuse of process of the Court. Hence, I find no reason to entertain the present application.

The anticipatory bail application is, accordingly, dismissed.

If the petitioners surrender before the court below and pray for regular bail, same shall be considered on its own merit without being prejudiced by this order. If possible, the regular bail application of the petitioners be disposed of preferably on the same day, taking into account that the petitioners are ladies.

(Sudhir Singh, J)

Narendra/-

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