

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 43789 of 2021

Arising Out of PS. Case No.-193 Year-2019 Thana- DERNI BAZAR District- Saran

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1. ANITA DEVI WIFE OF JITENDRA SINGH R/O MURLI SIRISIYA, P.S.-
BHELDI, DISTRICT- SARAN AT CHAPRA
 2. ASHOK SINGH SON OF NAGINA SINGH R/O VILLAGE-
MAHMOODCHAK, P.S.- NAYAGAON, DISTRICT- SARAN AT
CHAPRA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anurag Saurav
For the Opposite Party/s : Mr. Renu Kumari

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 25-08-2021 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and the learned APP for the State.

The present petition has been filed seeking anticipatory bail in connection with Derni PS case no. 193 of 2019 instituted under Section 307 and allied sections of Indian Penal Code.

The learned counsel for the petitioners has submitted that



the petitioners and one other co-accused person had earlier approached this Court for grant of anticipatory bail and this Court vide order dated 26.06.2020, passed in Cr. Misc. no. 8954 of 2020 had been pleased to grant anticipatory bail to the petitioners, however subject to the condition that the petitioners would mark their attendance before the Officer-in-Charge of the concerned police station at 10 am on every Monday of the week and in the event of failure to do so on two consecutive occasions, the privilege of bail shall stand cancelled automatically.

The learned counsel for the petitioners has submitted that petitioners had surrendered before the learned court below and furnished bail bond, whereafter they had been released, however on account of their default in appearing before the Officer-in-Charge of the concerned police station, their bail bonds stood cancelled automatically, thus, they apprehend that they may be arrested in connection with Derni PS case no. 193 of 2019.

At the outset, the learned counsel for the petitioners in presence of the learned APP for the State, Ms. Renu Kumari seeks liberty to surrender before the learned court below in order to enable them to seek regular bail, however submits that some observations may be made, inasmuch as this Court had



found merit in the anticipatory bail petition filed by the petitioners earlier, as such had admitted the petitioners to the privilege of anticipatory bail.

Having regard to the facts and circumstances of the case, the present petition stands disposed of with liberty to the petitioners to surrender before the learned court of A.C.J.M. Saran at Chapra in connection with Derni PS case no. 193 of 2019, within a period of four weeks from today, whereupon the learned court below shall consider the bail petition of the petitioners and pass appropriate orders on the very same day, considering the fact that the petitioners had already been admitted to the privilege of anticipatory bail by this Court vide order dated 26.06.2020, passed in Cr. Misc. no. 8954 of 2020.

It is needless to state that for a period of four weeks from today, no coercive action shall be taken against the petitioners in connection with Derni PS case no. 193 of 2019.

(Mohit Kumar Shah, J)

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