

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3388 of 2021

Arising Out of PS. Case No.-220 Year-2015 Thana- KANTI District- Muzaffarpur

-
1. Rakesh Paswan Son of Rajendra Paswan Resident of Village - Harchanda Purbari Tola, P.S. - Kanti(Panapur O.P.), District - Muzaffarpur.
 2. Shekahar Paswan Son of Devendra Paswan Resident of Village - Harchanda Purbari Tola, P.S. - Kanti(Panapur O.P.), District - Muzaffarpur.
 3. Devendra Paswan Son of Late Bharadul Paswan Resident of Village - Harchanda Purbari Tola, P.S. - Kanti(Panapur O.P.), District - Muzaffarpur.
 4. Rinku Devi Wife of Shekhar Paswan Resident of Village - Harchanda Purbari Tola, P.S. - Kanti(Panapur O.P.), District - Muzaffarpur.
 5. Reena Devi Wife of Rakesh Paswan Resident of Village - Harchanda Purbari Tola, P.S. - Kanti(Panapur O.P.), District - Muzaffarpur.
 6. Jeera Devi Wife of Devendra Paswan Resident of Village - Harchanda Purbari Tola, P.S. - Kanti(Panapur O.P.), District - Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shakuntala Kumar Wife of Thagan Paswan Resident of Village - Harchanda Purbari Tola, P.S. - Kanti (Panapur O.P.), District - Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok
For the Opposite Party/s : Mr. A.G

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-11-2021 Heard learned counsel for the petitioners and

learned APP for the State.

Learned counsel for the petitioners is expected

to honour his undertaking given in the instant case for

depositing the requisite court fee and to remove the

defects as pointed out by the office when called upon to



do so by the office.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 354, 379 of the Indian Penal Code.

It is submitted by learned counsel for the petitioners that the police, after investigation has submitted charge-sheet under Sections 341, 323, 504/34 of the Indian Penal Code against the petitioners and they were granted bail by the police itself on 20.08.2015. However, differing with the police report, cognizance has been taken against the petitioners under Sections 147, 323, 341, 354, 379, 149 of the Indian Penal Code.

Considering the fact that petitioners were on police bail, the anticipatory bail applications of the petitioners are not maintainable.

The learned Court below is directed to pass appropriate order with regard to the regular bail of the



petitioners, preferably on the same day, if the petitioners
surrender before the Court below and pray for regular
bail in view of the ratio laid down in the case of
Mahendra Prasad Singh versus the State of Bihar
reported in 2004(3) PLJR 491, provided that petitioners
have not misused the privilege of bail.

With the observations made above, the
application stands disposed off.

(Sunil Kumar Panwar, J)

Shageer/-

U		T	
---	--	---	--

