

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57403 of 2019

Arising Out of PS. Case No.-742 Year-2018 Thana- BIHTA District- Patna

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1. LAL BABU RAI, Son of Rajnandan Rai, Resident of Village- Palihall, P.S.- Bihta, District- Patna
 2. Jogindra Rai, Son of Rajnandan Rai, Resident of Village- Palihall, P.S.- Bihta, District- Patna ... Petitioners

Versus

THE STATE OF BIHAR ... Opposite Party

Appearance :

For the Petitioners : Mr. Malti Kumari, Adv.
For the Opposite Party : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 04-03-2021 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Bihta P.S. Case No. 742 of 2018, pending in the Court of the Additional Chief Judicial Magistrate, I, Danapur, Patna, registered under Sections 447, 341, 323, 324, 504, 307, 379, 506 and 34 of the Indian Penal Code.

Learned counsel appearing for the petitioners submits that earlier the prayer of the pre-arrest bail of both the petitioners was rejected on 17.12.2018 vide Cr. Misc. No. 69437 of 2018. Further, submission is that, in fact, occurrence of marpeet took place between both the sides in which counter case has also been lodged on behalf of the petitioners.

Earlier prayer of pre-arrest bail of both the petitioners



has already been rejected on merit taking into consideration the lodging of the counter case, as such, I do not find any reason to re-consider the prayer. The prayer for pre-arrest bail is **rejected**. The petitioners are directed to surrender before the Court below and seek regular bail, which will be considered by the trial Court on its own merit without being prejudiced of this order.

(Rajendra Kumar Mishra, J)

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