

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13105 of 2021

Arising Out of PS. Case No.-135 Year-2020 Thana- DAUDPUR District- Saran

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1. Bharat Singh, aged about 63 years, male, Son of Rameshwar Singh.
 2. Chinta Devi, aged about 60 years, female, Wife of Bharat Singh.
- Both are resident of Village- Laguni, P.S.- Daudpur, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kumar Yadav, Adv.

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

4 17-02-2022 Heard the counsel for the parties.

The petitioners seek bail in anticipation of their arrest in connection with Daudpur P.S. Case No. 135 of 2020, dated 19.06.2020, instituted for the offences under Sections 366, 366(A), 34, 504 and 506 of the Indian Penal Code.

This Court had called for the case diary *vide* order



dated 24.12.2021.

A perusal of the case diary indicates that the petitioners were on police bail.

The counsel for the petitioners also was informed by his clients that they are on police bail.

In that view of the matter, this Court is reluctant to exercise its jurisdiction under Section 438 of the Code of Criminal Procedure.

Should the petitioners surrender before the Court below and seek bail, the Court below, after taking into account that they were on police bail and had never misused the privilege of such bail all this while and that they had participated in the investigative process, shall pass orders in accordance with law, without being prejudiced by the fact that the present anticipatory bail application on their behalf has not been entertained by this Court.

The application stands disposed off accordingly.

(Ashutosh Kumar, J)

Praveen-II/-

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