

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16000 of 2022

Arising Out of PS. Case No.-268 Year-2020 Thana- GHANSHYAMPUR District- Darbhanga

1. ANITA DEVI W/O LALAN KUMAR JHA R/o village- Adharpur, P.S.- Ghanshyampur, District- Darbhanga
2. Indira Devi W/o Ashok Jha @ Ashok Tribhuvan Jha R/o village- Adharpur, P.S.- Ghanshyampur, District- Darbhanga
3. Rita Devi W/o Bhawendra Jha @ Bhawan Jha R/o village- Adharpur, P.S.- Ghanshyampur, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tuhin Shankar, Advocate
For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 11-05-2022 Heard Mr. Tuhin Shankar, learned Advocate for the
petitioners and Mr. Ram Naresh Ray for the State.

The petitioners have renewed their prayer for anticipatory bail which was earlier rejected vide order dated 01.10.2021 passed in Cr. Misc. No. 17785 of 2021.

Mr. Shankar has pointed out that the primary reason for this Court to reject the anticipatory bail was issuance of process under Section 83 Cr. P.C. against the petitioners, which in fact, he has reliably learnt, was incorrect and such process had not been issued on the date when the petition was disposed of.



It has been submitted that one of the co-accused persons of this case with similar accusation has been granted anticipatory bail.

However, I am not inclined to re-visit the order rejecting the anticipatory bail of the petitioners, but it is observed that in case the petitioners surrender before the court below within a period of six weeks from today, their petitions shall be considered on their own merits, taking into account all the grounds available to the petitioners as also that similarly situated accused persons and even male persons who were made accused in this case have been granted anticipatory bail by different Benches of this Court and an order shall be passed in accordance with law without being prejudiced by the fact that the present petition on their behalf has not been entertained.

(Ashutosh Kumar, J)

krishna/-

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

