

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20560 of 2022

Arising Out of PS. Case No.-259 Year-2020 Thana- LAUKAHA District- Madhubani

1. VINA DEVI @ BEENA DEVI Wife of Tapesar Dhurazar Resident of Village - Ekamma, Sirsiya, P.S. - Laukaha, District - Madhubani.
2. Tapesar Dhurazar @ Tapesar Yadav Son of Jalesar Dhurazar Resident of Village - Ekamma, Sirsiya, P.S. - Laukaha, District - Madhubani.
3. Rupesh Kumar @ Rupesh Kumar Dhurazar Son of Tapeswar Dhurazar Resident of Village - Ekamma, Sirsiya, P.S. - Laukaha, District - Madhubani.
4. Dipesh Kumar Yadav @ Dipesh Kumar Dhurazar Son of Tapeswar Dhurazar Resident of Village - Ekamma, Sirsiya, P.S. - Laukaha, District - Madhubani.
5. Nand Kumar Yadav @ Nand Kumar Dhurazar son of Vindi Dhurazar Resident of Village - Ekamma, Sirsiya, P.S. - Laukaha, District - Madhubani.
6. Naresh Yadav @ Naresh Kumar Masauta Son of Raghunath Masauta Resident of Village - Ekamma, Sirsiya, P.S. - Laukaha, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kumari Shubham, Advocate
For the Opposite Party/s	:	Mr. Chandra Bhushan Prasad, A.P.P.
For the Informant	:	Mr. Pramod Kumar Yadav, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

6 12-12-2022 In compliance of the order dated 7.12.2022, the Investigating Officer of the case is physically present and submits that charge sheet has been submitted against all the accused persons including the husband. It is also submitted that now, he has been transferred from the concerned P.S. to Khirhar P.S.

The personal appearance of the Investigating Officer is dispensed with.



Heard learned counsel for the petitioners, learned A.P.P., Mr. Chandra Bhushan Prasad for the State and learned counsel for the informant.

Learned counsel for the petitioners submits that petitioners are persons with clean antecedent, it is further submitted that the petitioners were on police bail during the period of investigation, but the police in a mechanical manner submitted that charge sheet, it is next submitted that since the petitioners were on police bail, the law stands settled by a judgment of this Court in **Mahendra Prasad Singh Vs. The State of Bihar** reported in **2004 3 PLJR 491**, it is next submitted that the said judgment was followed in the case of **Shiv Chandra Singh Vs. The State of Bihar** reported in **2007 4 BBCJ 66** and, thereafter, in **Jagnarayan Yadav and Others Vs. The State of Bihar** reported in **2010 2 PLJR 684**, wherein, this Court has very clearly laid the law that once an accused who is on police bail and charge sheet comes to be submitted then what steps have to be taken by the learned Trial court.

Learned A.P.P. for the State and the learned counsel for the informant fairly submit that the law is clear on the issue.

In view of the submissions made by the learned counsel for the petitioners, the present anticipatory bail



application is disposed of with a direction to the petitioners to surrender before the learned Trial Court on or before 10.01.2023 and the learned Trial Court shall on the same day, dispose of the application keeping mind the law enunciated by this Court as aforesaid.

Accordingly, the present anticipatory bail application is disposed of.

(Satyavrat Verma, J)

HarshPandey/-

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