

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31338 of 2022

Arising Out of PS. Case No.-242 Year-2019 Thana- SHAHKUND District- Bhagalpur

1. MD RAJA ALIAS RAJA JALIL KHAN Son of Md. Jalil Khan Resident of Village-Samastipur, P.S.-Shahkund, District-Bhagalpur.
2. Md. Babhi @ Bashir Son of Md. Jalil Khan Resident of Village-Samastipur, P.S.-Shahkund, District-Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madan Mohan, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioners apprehends their arrest in a case registered for the offences punishable under Sections 341, 323, 447, 307, 504, 506 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioners are persons with clean antecedent. The learned counsel at the outset submits that petitioners were on police bail during the period of investigation but the police in a mechanical manner submitted charge-sheet and, thereafter, cognizance came to be taken, it is next submitted that the law stands settled by the judgment of this Court in Mahendra Prasad Singh Vs. The State



of Bihar reported in 2004 Vol. 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.

In view of the submissions made by the learned counsel for the petitioner, the present anticipatory bail application is disposed of with a direction to the petitioners to surrender before the learned Trial Court on or before 16.12.2022 and the learned Trial Court shall on the same day dispose of the application keeping in mind the law enunciated by this Court as aforesaid.

Accordingly, the anticipatory bail application stands disposed of.

(Satyavrat Verma, J)

HarshPandey/-

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