

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37087 of 2022

Arising Out of PS. Case No.-111 Year-2020 Thana- DANDARI District- Begusarai

MD MINHAZ @ MINTU @ SINHAZ @ MD SINHAJ @ MINAHAJ S/O
MD. ISLAM Resident of Village- Katahri, P.S.- Dandari, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Randhir Kumar No.1, Advocate

For the Opposite Party/s : Mr. Kalyan Shankar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 448, 341, 323, 354(B), 379, 504, 506 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegations against the petitioner is of assaulting Imrana. Learned counsel further submits that petitioner has been falsely implicated in the present case, it is next submitted that the petitioner was on police bail during the period of investigation but the police in a mechanical manner submitted charge sheet, it is next submitted that since the petitioner was 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.

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 petitioner 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 mind the law enunciated by this Court as aforesaid.

(Satyavrat Verma, J)

HarshPandey/-

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