

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46133 of 2021

Arising Out of PS. Case No.-135 Year-2020 Thana- BHARGAMA District- Araria

1. ANIL MEHTA @ ANIL KUMAR Son of Shivanand Mehta Resident of Village - Sukaila, Pachiyari Tola P.S. - Bhargama, Dist. - Araria.
2. Sunil Mehta Son of Shivanand Mehta Resident of Village - Sukaila, Pachiyari Tola P.S. - Bhargama, Dist. - Araria.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh, Adv.

For the Opposite Party/s : Ms.Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

4 18-07-2022 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

The petitioners apprehend their arrest for the offences alleged under Sections 302 of the Indian Penal Code registered in connection with Bhargama P.S.Case No.135 of 2020.

At the very outset, the learned APP has submitted that the case diary has been received and from page 139 thereof, it appears that the process under Section 83 of the Cr.P.C. has been executed and the petitioners are not entitled for anticipatory bail.

In view of the aforesaid submission, the petitioners are not entitled for anticipatory bail, in the light of the recent decision in the case of *Prem Shankar Prasad vs. State of Bihar and Another* (2021 SCC online SC 955).



The petitioners are directed to surrender before the court below and make a prayer for regular bail.

If the petitioners surrender and seek regular bail before the court below, their bail applications shall be considered on its own merit, without being prejudiced by this order.

Office shall ensure that all the defects are removed by the petitioners within the stipulated time provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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