

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62598 of 2022**

Arising Out of PS. Case No.-154 Year-2020 Thana- NARHATT District- Nawada

=====

RANJIT KUMAR @ SANJIT KUMAR S/O KAPILDEV YADAV @
KAPILDEV PRASAD Resident of Village- Shivganj, P.S.- Sitamarhi,
District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma

For the Opposite Party/s : Mr.Ram Anurag Singh

=====

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 12-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 341, 323, 308, 379, 504, 506 and 34 of the Indian Penal Code pending in the learned court below.

From perusal of the impugned order, it appears that the petitioner is on police bail.

It is settled principle of law that once the petitioner has been granted bail either by the police or by the Court, the petition under Section 438 Cr.P.C. on behalf of the petitioner is not maintainable.

In that view of the matter, the present application



is disposed of with a direction to the petitioner to surrender before the learned Court below within six weeks from today and seek regular bail and the learned lower Court would consider the same without being prejudiced by this order in view of the ratio laid down in the case of **Mahendra Prasad Singh Vs. The State of Bihar** reported in **2004 (3) PLJR 491**.

With the aforesaid observation and direction, this application stands disposed of.

(Anjani Kumar Sharan, J)

ajay/-

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

