

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71497 of 2022

Arising Out of PS. Case No.-157 Year-2020 Thana- PIYAR District- Muzaffarpur

1. AMARNATH KUMAR @ AMARNATH RAI @ AMARNATH KUMAR RAI S/O RAM DARASH RAY Resident of village- Pachrukhi Vishnupur, P.S.- Piar, District- Muzaffarpur.
2. RAM DARASH RAI @ RAM DARAS RAI S/O BATAHU RAI Resident of village- Pachrukhi Vishnupur, P.S.- Piar, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Ajit Kumar, Advocate
For the Opposite Party	:	Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 08-02-2023 Heard learned counsel for the petitioners and learned
APP for the State.

This is second application for grant of anticipatory
bail on behalf of the petitioners in connection with Piar P.S.
Case No. 157 of 2020.

Learned counsel for the petitioners has renewed the
prayer for anticipatory bail only on the ground that another
similarly situated co-accused has been granted anticipatory bail
by this Court by considering that no poison was found by FSL
in the viscera report.

The prayer for anticipatory bail of the petitioners was
rejected on 10.02.2022 after considering the materials available



on record. At that point of time and after rejection of their anticipatory bail applications, they should have surrendered and prayed for regular bail but they have not chosen to do so.

This Court is not ready to review its earlier order.

However, if the petitioners surrender before the courts below within four weeks from today and pray for regular bail then courts below will consider the case of regular bail of the petitioners on its merits and will also consider the fact that one of the similarly situated co-accused has been granted anticipatory bail by this Court and no poison has been found by FSL in the viscera report.

(Sandeep Kumar, J)

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