

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72615 of 2022

Arising Out of PS. Case No.-31 Year-2018 Thana- JAIPUR District- Banka

1. RAM LAL YADAV Son of Bhula Yadav Resident of Village- Kumahar Bank, P.S.- Jaipur, District- Banka
2. PANCHANAND YADAV Son of Bhula Yadav Resident of Village- Kumahar Bank, P.S.- Jaipur, District- Banka
3. DHANRAJ YADAV Son of Pancha Nand Yadav Resident of Village- Kumahar Bank, P.S.- Jaipur, District- Banka
4. BACHAN YADAV @ BAICHAN YADAV Son of Pam Lal Yadav Resident of Village- Kumahar Bank, P.S.- Jaipur, District- Banka
5. SUMIT YADAV Son of Maha Prasad Yadav Resident of Village- Kumahar Bank, P.S.- Jaipur, District- Banka
6. NEPAL YADAV Son of Baidyanath Yadav Resident of Village- Kumahar Bank, P.S.- Jaipur, District- Banka
7. GOPAL YADAV Son of Baidyanath Yadav Resident of Village- Kumahar Bank, P.S.- Jaipur, District- Banka
8. SANJU YADAV Son of Kailu Yadav Resident of Village- Kumahar Bank, P.S.- Jaipur, District- Banka
9. JANARDHAN YADAV Son of Doman Yadav Resident of Village- Kumahar Bank, P.S.- Jaipur, District- Banka
10. MANOJ YADAV Son of Lutan Yadav Resident of Village- Kumahar Bank, P.S.- Jaipur, District- Banka
11. BASU DEO YADAV Son of Baidyanath Yadav Resident of Village- Kumahar Bank, P.S.- Jaipur, District- Banka
12. GENA YADAV Son of Dhankeshar Yadav Resident of Village- Kumahar Bank, P.S.- Jaipur, District- Banka

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Nurul Hoda, Adv.
For the Opposite Party/s : Mr.Binod Kumar,APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-02-2023 Heard the parties.

The petitioners apprehend their arrest in a case registered



for the offences punishable under Sections 147, 148, 149, 341, 324, 325, 307, 379, 504, 376 & 511 of the Indian Penal Code.

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

In that view of the matter, the present application is disposed of with a direction to the petitioners 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)

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