

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21804 of 2024**

Arising Out of PS. Case No.-65 Year-2011 Thana- LODIPUR District- Bhagalpur

1. Dhruv Kumar Das Son Of Late Khachi Das
2. Chandan Das @ Chandan Kumar Das Son Of Sri Dhrub Kumar Das
3. Pawan Kumar Son Of Sri Durub Kumar Das
All Resident Of Village - Gobardhanpura, P.S. - Lodipur, District - Bhagalpur

.. ... Petitioner/s

Versus

THE STATE OF BIHAR

... ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vivekanand Vivek, Advocate
For the Opposite Party/s : Mr.Bharat Bhushan, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

- 4 22-07-2024 1. Learned counsel for the petitioners seeks permission to withdraw the anticipatory bail application with respect to petitioner no.1, Dhruv Kumar Das and petitioner no.2, Chandan Das @ Chandan Kumar Das.
2. Permission is accorded.
3. Accordingly, the anticipatory bail application is dismissed as withdrawn as against petitioner no.1 and petitioner no.2.
4. Heard learned counsel for the petitioners as well as learned APP for the State.
5. The petitioner no.3 seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 448, 341, 323, 337, 504 and 34 of the IPC in



connection with Lodipur P.S. Case No.65 of 2011.

6. An FIR came to be instituted in the year 2011, the offences were bailable, as such the petitioner was granted bail by the learned trial court in the year 2011, few days after the petitioner was granted bail, Section 302 IPC came to be added, as the injured died. Accordingly, a notice was issued by the learned trial court requiring the petitioner to reply as to why the bail granted be not cancelled, the petitioner challenged the notice up till High Court with no relief. Thereafter, petitioner filed anticipatory bail application which was rejected by the District court which is impugned in the present application. The order impugned records that process under Section 82 Cr.P.C. has been issued.

7. Learned APP submits that anticipatory bail application is not maintainable, as the petitioner had already surrendered and was released on bail, further process under Section 82 Cr.P.C. has been issued.

8. Considering the submission made by the learned APP, the anticipatory bail application is rejected.

(Satyavrat Verma, J)

Prakash Narayan

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