

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36588 of 2024

Arising Out of PS. Case No.-70 Year-2016 Thana- ASHTHAWAN District- Nalanda

1. SURAJ YADAV @ SURAJ KUMAR SON OF LALAN YADAV
RESIDENT OF VILLAGE AND P.S. - ASTHAWAN, DISTRICT -
NALANDA
2. LALAN YADAV SON OF LATE YADDU YADAV RESIDENT OF
VILLAGE AND P.S. - ASTHAWAN, DISTRICT - NALANDA
3. BRIJNANDAN YADAV SON OF LATE CHANDRA YADAV RESIDENT
OF VILLAGE AND P.S. - ASTHAWAN, DISTRICT - NALANDA
4. ABHAY YADAV SON OF LATE CHANDRA YADAV RESIDENT OF
VILLAGE AND P.S. - ASTHAWAN, DISTRICT - NALANDA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate
For the Opposite Party/s : Mr. Rabindra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 08-07-2024 1. Heard learned counsel for the petitioners and Mr. Rabindra Kumar learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 308, 337, 338, 504 and 506/34 of the Indian Penal Code.
3. Learned counsel for the petitioners submits that petitioners have antecedent of one case and during investigation the petitioners were granted the benefit of Section 41(a) of the Cr.P.C., thereafter the police after investigation submitted chargesheet based on which cognizance came to be taken. It is thus submitted that petitioners during the course of investigation were on police bail.
4. Learned counsel for the petitioners further submits that



the law stands settled by a judgment of this Court in **Mahendra Prasad Singh Vs. State of Bihar** reported in **2004(3) PLJR 491** and the said judgment was followed in the case of **Sheo Chandra Singh Vs. The State of Bihar** reported in **2007(4) BBCJ 66** and thereafter in the case of **Jagnarayan Yadav and Ors. Vs. The State of Bihar** reported in **2010(2) PLJR 684** wherein this Court has very clearly laid the law that once an accused who is on police bail and chargesheet comes to be submitted then what steps have to be taken by the learned trial court.

5. In view of the aforesaid submissions made by the learned counsel appearing on behalf of the petitioners, the present present anticipatory bail application is disposed of with a direction to the petitioners to surrender before the learned trial court on or before 22.07.2024 and the learned trial court shall on the same day dispose of the application keeping in mind the law enunciated by this Court as recorded aforesaid.

6. Accordingly, the present anticipatory bail application is disposed of.

(Satyavrat Verma, J)

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