

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20616 of 2014

Arising Out of PS. Case No.-542 Year-2013 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Zahid Eqbal S/o Md. Nazimuddin Resident of 301, B Block, Shivam Heritage, Magistrate Colony, Police Station Rajeev Nagar, Ashiana Nagar, Patna.
 2. Santosh Kumar Jha S/o Md. Prakash Chandra Jha Resident of At P.O. + P.S. Bousi, District Banka.
 3. Sanjay Kumar Jha S/o Ramesh Nandan Jha Resident of at Dadani Chak, P.O. Beldiha, Police Station Belhar, District Banka.
 4. Vimal Kumar Jha S/o Sureshwar Jha Resident of At P.O. + P.S. Bousi, District Banka.
 5. Pritam Kumar Jha S/o Chandrakant Jha Resident of At P.O. + P.S. Bousi, Panda Tola, District Banka.
 6. Deepak Sharan Singh S/o Bikrama Singh Resident of At 403, F Block, Mundeshwary Enclave, Akashwani Road, Khajpura, District Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjeev Ranjan, Advocate
For the State	:	Mr. Parmeshwar Mehta, APP
For the Complainant	:	Mr. Patanjali Rishi, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

20 06-03-2024

1. Heard learned counsel for the petitioners, learned

A.P.P. for the State and learned counsel for the complainant.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 403, 420 and 120(B) of the Indian Penal Code.

3. Learned counsel for the petitioners submits that cognizance has been taken by an order dated 19.06.2013 under Sections 403, 420 and 120(B) of the Indian Penal Code. It is



further submitted that the offences for which cognizance has been taken carry punishment of seven years and less. It is next submitted that petitioners had approached this Court seeking anticipatory bail after cognizance was taken by filing the instant anticipatory bail application which was taken up on 25.09.2014 and the learned Coordinate Bench of this Court referred the matter to a Larger Bench on the issue as to whether anticipatory bail is maintainable after cognizance is taken or not but while referring the case provisional anticipatory bail was granted to the petitioners. It is next submitted that the issue has been decided by a Larger Bench of this Court that anticipatory bail is maintainable after order of cognizance as such the case has been placed for consideration.

4. Learned counsel for the petitioners submits that petitioners have remained on provisional anticipatory bail now for nearly more than nine years and they never misused the privilege of provisional anticipatory bail and the cognizance also has been taken of offences which carry punishment of seven years and less as such no useful purpose would be served by sending the petitioners to jail. It is further submitted that petitioners will cooperate in the trial and will not seek unnecessary adjournments for delaying the same.



5. Learned A.P.P. for the State and learned counsel appearing on behalf of the complainant opposed the prayer for anticipatory bail of the petitioners but are not in a position to rebut the submissions of the learned counsel for the petitioners that petitioners have remained on provisional anticipatory bail for nearly nine and half years and that cognizance has been taken with respect to offences which carry punishment of less than seven years and less.

6. Considering the submissions made by the learned counsel for the petitioners, the provisional anticipatory bail granted to the petitioners by order dated 25.09.2014 in Cr. Misc. No. 19124 of 2014 and analogous cases is hereby confirmed on the same terms and conditions.

(Satyavrat Verma, J)

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