

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32570 of 2024

Arising Out of PS. Case No.-774 Year-2022 Thana- FATEHPUR District- Gaya

1. Md. Shahzad Mian @ Md. Shahzad @ Shahzad Mian, Son of Rahim Mian R/O Village - Kariyadpur, Jagarnathpur, P.S.- Fatehpur, District - Gaya
2. Md. Ali, Son of Md Shahzad Mian @ Md. Shahzad @ Shahzad Mian R/O Village - Kariyadpur, Jagarnathpur, P.S.- Fatehpur, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Dharendra Prasad Sinha
For the Opposite Party/s :	Ms. Pushpa Sinha
	Mr. Gajendra Kumar Singh
	Mr. Avinash Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 05-08-2024 1. Heard learned counsel for the petitioners, the learned counsel appearing on behalf of the informant and learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in Fatehpur P. S. Case No.774 of 2022 registered for the offences punishable under Sections 341, 323, 308, 379 and 34 of the Indian Penal Code.

3. The learned counsel for the petitioners submits that during the course of investigation, the petitioners were given the benefit of Section 41(A) of the Cr.P.C and thus, were on police bail.



4. It is next submitted that police in mechanical manner investigated and submitted charge-sheet based on which, cognizance has been taken. Thus, petitioners apprehend their arrest, on which the learned A.P.P. submits that the law stands well settled by judgments of this Court that as to what steps have to be taken by the learned trial Court when an accused, who is on police bail against him charge-sheet is submitted and for the said proposition relies on an order of this Court in the case of **Mahendra Prasad Singh vs. the State of Bihar reported in 2004(3) P.L.J.R. 491, Sheo Chandra Singh vs. the State of Bihar reported in 2007 (4) B.B.C.J. 66 and Jag Narayan Yadav and others vs. the State of Bihar reported in 2010 (2) P.L.J.R. 684**. The learned counsel for the petitioners thus submits that the case be disposed of in terms of the aforesaid orders.

5. In view of the submissions made by the learned counsel appearing on behalf of the petitioners, the anticipatory bail application is disposed of with a direction to the petitioners to surrender before the learned trial Court on



or before 27.08.2024 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 herein above.

6. The anticipatory bail application stands disposed of.

(Satyavrat Verma, J)

vikash/-

U		T	
---	--	---	--

