

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21218 of 2024

Arising Out of PS. Case No.-142 Year-2018 Thana- GUTHANI District- Siwan

1. Samarjeet Singh Son of Late Banka Singh Resident of Village- Jataur, Police Station- Guthani, District- Siwan
 2. Dhananjay Singh @ Dhananjay Kumar Singh @ Dhanu Singh Son of Bidhan Singh Resident of Village- Jataur, Police Station- Guthani, District- Siwan
- Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajendra Narain, Sr. Adv. Mr. Ajay Kumar Tiwary, Adv.
For the State	:	Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 11-08-2025 Heard Mr. Rajendra Narain, learned senior counsel appearing for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act. However, charge sheet has been submitted under Sections 302, 120(B), 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. It is fairly submitted on behalf of learned counsel for the petitioners that the prayer for anticipatory bail is being made for a second time and earlier vide order dated 07.03.2019, the anticipatory bail of these petitioners had already stood rejected with an observation that the processes under Sections 82 & 83 of the Cr.P.C. had already been concluded against them. However, a submission



has been made that in the meantime, the trial of other co-accused persons has taken place and all of them have been acquitted and this was urged to be the fresh ground for consideration of the present application. It is also submitted that no evidence seems to appear even as against the present petitioners.

4. Learned APP for the State, however, opposes the prayer for anticipatory bail.

5. Taking into consideration the fact that the anticipatory bail has been filed for the second time and too after a lapse of several years, this Court is not inclined to grant the privilege of anticipatory bail to the petitioners. The application is thus rejected.

6. However, in case, the petitioners surrender before the learned Court below and seek regular bail within a period of four weeks, the same shall be considered on its merits without being prejudiced by the present withdrawal and preferably on the same day and the learned Court concerned may also take into consideration the fact that the other co-accused persons who were put on trial had already been acquitted and no evidence has even appeared against the present petitioners.

7. Accordingly, the application stands disposed of.

(Soni Shrivastava, J)

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