

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41976 of 2025

Arising Out of PS. Case No.-585 Year-2023 Thana- ROSERA District- Samastipur

1. Ram Prasad Sahani @ Prasad Sahani son of Late Thakkan Sahani Village- Muradpur PS -Rosera Distt-Samastipur
2. Shubham Kumar Sahani @ Shubham Kumar son of Ram Prasad Sahani @ Prasad Sahani Village- Muradpur PS -Rosera Distt-Samastipur
3. Renu Devi Wife of Ram Prasad Sahani @ Prasad Sahani Village- Muradpur PS -Rosera Distt-Samastipur
4. Rina Devi Daughter of Ram Prasad Sahani @ Prasad Sahni Village- Muradpur PS -Rosera Distt-Samastipur
5. Hina Devi Daughter of Ram Prasad Sahani @ Prasad Sahni Village- Muradpur PS -Rosera Distt-Samastipur
6. Guriya Devi Daughter of Ram Prasad Sahani @ Prasad Sahni Village- Muradpur PS -Rosera Distt-Samastipur
7. Laxami Kumari Wife of Shubham Kumar Sahani @ Shubham Kumar Village- Muradpur PS -Rosera Distt-Samastipur
8. Gaytri Kumari Wife of Nitish Kumar Village- Muradpur PS -Rosera Distt-Samastipur

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Raghwendra Pratap Singh, Advocate
For the Opposite Party/s : Mr.Jai Narain Thakur, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-08-2025 Petitioners apprehend arrest in a case registered for the offence punishable under sections 341, 323, 325, 307, 379, 504, 506/34 of the IPC.

2. Learned counsel for the State, referring to the impugned order dated 4.2.2025, submit that the police has given benefit of section 41(1) of the Code of Criminal Procedure to the petitioners and there is no apprehension of their arrest.

3. From perusal of the impugned order, it is clear that petitioners are already on police bail under section 41(1) of the



Code of Criminal Procedure. This Court, in case of **Mahendra Prasad Singh Vs. State of Bihar**, reported in **2004(3) P.L.J.R., 491** has held that once accused persons are granted privilege of police bail, they must honour the terms of police bail. Upon surrendering, petitioners are entitled to apply for bail, and the court is instructed to consider this application in alignment with the principle established in the cited case.

4. In view of the observation of this Court made in the aforesaid case, petitioners are directed to surrender before the Court below within a period of eight weeks from today. In case, petitioners surrender and file an application for bail, the concerned Court will pass order in the similar manner as has been decided in the case of **Mahendra Prasad Singh (Supra)**.

5. With the above directions/observations, this application is disposed of.

(Prabhat Kumar Singh, J)

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