

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58042 of 2025

Arising Out of PS. Case No.-159 Year-2022 Thana- TARIYANI CHOWK District- Sheohar

1. RAMJAPU RAI S/o- Late Diplal Rai Village- Rajadeeh Ps- Tariyani Dist- Sheohar
2. Satyendra Rai S/o- Ramjapu Rai Village- Rajadeeh Ps- Tariyani Dist- Sheohar
3. Usha Devi @ Usha Kumari W/o- Ramjapu Rai Village- Rajadeeh Ps- Tariyani Dist- Sheohar
4. Savitri Devi @ Sarita Devi @ Dharmshila Devi W/o- Anil Prasad @ Anil Rai Village- Rajadeeh Ps- Tariyani Dist- Sheohar
5. Parvati Devi W/o- Satyendra Rai Village- Rajadeeh Ps- Tariyani Dist- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Krishna Chandra Ojha, Advocate
For the State	:	Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-08-2025 Heard learned counsel appearing on behalf of the

petitioners and learned A.P.P. appearing on behalf of the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 324, 354, 307, 379, 427, 504, 506 and 34 of the Indian Penal Code.

3. Learned A.P.P. for the State, referring to the impugned order dated 01.07.2025, submits 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.

4. From bare 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.

5. 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)**.

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

(Prabhat Kumar Singh, J)

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