

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57216 of 2025**

Arising Out of PS. Case No.-37 Year-2023 Thana- BAIKUNTHPUR District- Gopalganj

Arunesh Kumar @ Lakhindra Rai S/O Kailash Rai @ Kailesh Rai R/O
Village and P.O- Faizullahpur, P.S- Baikunthpur, Dist- Gopalganj- 841420.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Advocate

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 02-09-2025 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. appearing on behalf of the State.

2. The petitioner apprehends arrest in a case registered
for the offence punishable under Sections 406, 420, 504, 506 of
the Indian Penal Code.

3. Learned A.P.P. for the State submits that the police
has given benefit of Section 41(1) of the Code of Criminal
Procedure to the petitioner and there is no apprehension of his
arrest.

4. From the aforesaid contention made on behalf of
the State, it is clear that petitioner is 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, petitioner is directed to surrender before the Court below within a period of eight weeks from today. In case, petitioner surrenders 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)

Navya/-

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

