

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61885 of 2025

Arising Out of PS. Case No.-48 Year-2016 Thana- PHENHARA District- East Champaran

Bachcha Rai @ Bachha Prasad Yadav S/o Yado Lal Ray R/o Village - Rajpur
Kaul Marwa (Marpa), Ward No. 5, P.S. - Phenara, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhurendra Kumar, Advocate

For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-09-2025 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. appearing on behalf of the State.

2. Petitioner apprehends his arrest in a case registered
for the offence punishable under sections 147, 148, 341, 323,
325, 447, 504, 307, 506 and 149 of the IPC.

3. Learned counsel for the petitioner, while denying
the allegations, submits that police, while extending benefits of
section 41(1) of the Code of Criminal Procedure, has granted
police bail to this petitioner, as such, this anticipatory bail
application may be disposed of in the light of decision of this
Court rendered in case of **Mahendra Prasad Singh Vs. State of
Bihar**, reported in **2004(3) P.L.J.R., 491** in which it has been
held that once accused persons are granted privilege of police
bail, they must honour the terms of police bail. Upon



surrendering, petitioner is entitled to apply for bail, and the court is instructed to consider such application in alignment with the principle established in the above cited case.

4. In view of the observation of this Court made in the aforesaid case, petitioner is directed to surrender before the concerned trial Court within a period of eight weeks from today. In case, petitioner surrenders and files 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 anticipatory bail application is disposed of.

(Prabhat Kumar Singh, J)

K.C.Jha/-

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