

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62939 of 2025

Arising Out of PS. Case No.-19 Year-2014 Thana- RAGHUNATHPUR District- Siwan

1. Vijay Prakash Singh S/o Suryadeo Singh R/o Village- Dighwaliya, P.S.- Raghunathpur, District- Siwan
2. Mitesh Kumar @ Sonu Singh @ Mithlesh Kumar S/o Vijay Prakash Singh R/o Village- Dighwaliya, P.S.- Raghunathpur, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Udai Shankar Singh, Advocate
For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-09-2025 Petitioners apprehend arrest in a case registered for the offence punishable under sections 365/34 of the I.P.C.

2. As per the FIR, on the alleged date and time of the occurrence, these FIR named accused persons took away the informant's son and when the informant went to their house to ask about his son, they threatened him with dire consequences.

3. Learned counsel for the petitioners, 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 these petitioners, as such, the 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, 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 anticipatory bail application is disposed of.

(Prabhat Kumar Singh, J)

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