

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62717 of 2025

Arising Out of PS. Case No.-55 Year-2023 Thana- WAJIRGANJ District- Gaya

1. Meena Devi @ Sharda Devi W/o- Birendra Kumar Prasad @ Munnu Yadav
Village- Naudiha Khurd PS- Muffasil District- Gaya
2. Indu Devi @ Indu Kumari D/o- Birendra Kumar Prasad @ Munnu Yadav
Village- Naudiha Khurd PS- Muffasil District- Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar

For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-12-2025 Learned counsel for the State pointing out paragraph 9 of the bail petition, submit that the police, while extending benefits of section 41(1) of the Code of Criminal Procedure, has granted police bail to the petitioners, as such, anticipatory bail is not maintainable. Reference is made to the decision 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.

2. 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)**.

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

(Prabhat Kumar Singh, J)

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