

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10934 of 2026

Arising Out of PS. Case No.-119 Year-2023 Thana- BAHADURPUR District- Patna

1. Rajesh Prasad @ Rajesh Kumar S/o Late Chhote Ram R/o vill - Rampur Road, Near Rainbow Tower, P.s.- Bahadurpur, Distt.- Patna
2. Madhuri Devi W/o Rajesh Prasad @ Rajesh Kumar R/o vill - Rampur Road, Near Rainbow Tower, P.s.- Bahadurpur, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pravashankar Mishra, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 03-04-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending arrest in connection with Bahadurpur P.S. Case No. 119 of 2023, dated 05.04.2023, lodged under Sections 304(B) & 34 of the Indian Penal Code, pending before the Court of Judicial Magistrate, 1st Class, Patna City.

3. Learned APP for the State raised preliminary objection and submits that the anticipatory bail application of the petitioners has been earlier dismissed as withdrawn vide order dated 03.05.2024, passed in Cr. Misc. No. 17489 of 2024, which is annexed as Annexure-P/2. Counsel further submits that from Annexure-P/2, it transpires that the counsel for the



petitioners sought permission to withdraw the anticipatory bail application as having become infructuous, and only for this reason this Court granted permission to withdraw.

4. In view of the above and after perusal of the record, it transpires to this Court that after a lapse of about 2 years, again the same petitioners have come before this Court in Cr. Misc. No. 10934 of 2026 and the petitioners seek to pursue the present Cr. Misc. application on merits. But this Court is not inclined to interfere in the present Cr. Misc. application and the same is accordingly dismissed.

5. It is directed that the petitioners shall surrender before the Trial Court within a period of six weeks from today. In case the petitioners surrender within the said period, the Trial Court is directed to pass orders on their surrender-cum-bail applications on the same day, without being prejudiced by the fact that their anticipatory bail applications have been rejected by this Court. The Trial Court shall pass orders on the merits of the case.

(Dr. Anshuman, J.)

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