

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**

A.B.A. No. 1367 of 2020

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1. Suresh Chandra Dubey @ Suresh Dubey.
2. Rajesh Dubey @ Rajesh Kumar Dubey.....Petitioners

Versus

State of Jharkhand.

.....Opposite Party

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**Coram: THE HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY**

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For the Petitioners : Mr. Pankaj Srivastava, Advocate

For the State : Mrs. Nehala Sharmin, A.P.P.

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04/22-06-2020

Heard the parties.

The petitioners apprehend their arrest in connection with Manjhion O.P. Case No. 31 of 2008, G.R. No. 255 of 2008.

It appears that prayer for anticipatory bail of the petitioners was earlier rejected by this Court in A.B.A. No. 796 of 2011.

Learned counsel for the petitioners has renewed their prayer for anticipatory bail on account of the fact that after investigation, final form was submitted but the learned court below had disagreed with the final form and had taken cognizance, which is the subject matter of Cr.M.P. No. 1499 of 2016, in which vide order dated 11.4.2017, the matter was remanded back to the learned Chief Judicial Magistrate, Garhwa to pass a fresh order in accordance with law and consequent to the order of remand, the cognizance has once again been taken.

It appears that the allegations against the petitioners had revived on account of the cognizance having been taken by the learned Magistrate and since the matter has already been considered on merits in A.B.A No. 796 of 2011, I am not inclined to reconsider the prayer for anticipatory bail to the petitioners. This application stands rejected.

However, if the petitioners surrender before the learned court below within four weeks and pray for bail, the learned court below shall endeavor to expeditiously dispose of the bail application without being prejudiced by this order.

(Rongon Mukhopadhyay,J)

Rakesh/-