

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13250 of 2015

Arising Out of PS.Case No. -287 Year- 2014 Thana -JAGDIHSPUR District- BHOJPUR

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Anil Kumar S/o Ram Vijay Singh Resident of Mohallah Nayatola, P.S.
Jagdishpur, District Bhojpur (Bihar).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

2 08-04-2015

Heard learned counsel for the petitioner and the State.

This petition has been filed for anticipatory bail of the petitioner, who apprehends his arrest in a case for the offence punishable under Sections 3(3), 7, 2(iii), 7, 35 (1)(a), 2, 35(1)(b)-5 of the Fertilizer Control Act, 1985 and Section 7(i)(a), 9(i)(ii), 7(i) (9) (ii) of the Essential commodities Act.

It is submitted that the petitioner has earlier moved this Court for grant of anticipatory bail which was disposed of vide order dated 16.12.2014 (Annexure-2) in view of the direction of the Hon'ble Supreme Court in the case of *Arnesh Kumar v. State of Bihar* reported in **2014(3) PLJR 314 SC**. His submission is that after passing the order, the other co-accused Raj Kamal Prasad @ Payharijee has been granted anticipatory bail by a coordinate Bench of this Court vide order dated 21.1.2015 in Cr. Misc. no. 2838 of 2015 (Annexure-3). As such, this case should be considered, in view of the order passed in Annexure-3, in favour of the petitioner.

Learned counsel for the State submits that the prayer of the petitioner has already been considered and the petition for

anticipatory bail has already been disposed of in terms of the direction given by the Hon’ble Supreme Court. As such, no fresh order is required.

Considering the facts and circumstances, it appears that contention of the learned State counsel is correct.

I do not find any ground to entertain this petition.

Accordingly, it is dismissed.

(Amaresh Kumar Lal, J)

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