

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43357 of 2016

Arising Out of PS.Case No. -144 Year- 2003 Thana -ARA NAWADA District- BHOJPUR

Narendra Kumar Pandey son of Late Sachita Nand Pandey Resident of
Village- Barap P.S.- Agiaon (Garahani) District- Bhojpur.

.... Petitioner/s

Versus

The State of Bihar Through Director Vigilance Bureau Department, Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 23-11-2016 Heard both sides.

The petitioner apprehends his arrest in Special Case No. 16/2005 arises out of Ara Nawada P.S. Case No. 144/2003, registered for the offences punishable under Sections 406, 409, 467, 468, 471 and 477 of the Indian Penal Code and Section 13(2) read with 13(a)(c)(d) of the P.C. Act.

Learned counsel for the petitioner submits that the petitioner was granted anticipatory bail in Ara Nawada P.S. Case No. 144/2003 till the submission of charge-sheet by order dated 17.11.2003 passed in A.B.P. No. 433/2003 by the then learned Sessions Judge, Bhojpur Ara. Now, charge-sheet has already been submitted. The petitioner moved for anticipatory bail before the Special Judge, Vigilance Department and without considering the

case of the petitioner the anticipatory bail petition of the petitioner was rejected. It is submitted that petitioner is bed-ridden.

It appears that the petitioner was granted anticipatory bail vide order dated 17.11.200 in A.B.P. no. 433/2003, thereafter, charge-sheet was submitted, but the petitioner did not appear in the court and filed a petition for anticipatory bail which was rejected by the Special Judge, Patna vide order dated 25.04. 2013. Against the said order the petitioner moved this court in the year 2016 for grant anticipatory bail, but the office pointed out some defects. The petitioner fell ill and he could not remove the defects., but it appears from the record that the petitioner was granted anticipatory bail till the submission of charge-sheet, even after the rejection of anticipatory bail petition filed by the petitioner in the year 2013, the petitioner knowingly did not appear in the court. Thereafter again the petitioner filed this anticipatory bail petition in the year 2016.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above-named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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