

Arising from the above facts, the Commission is of the opinion that the petitioner is entitled to the following relief:

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Md. Ahsanul Haque
Ward No. 10
Madhupur, Dhaka

1. The Commission should direct the respondent to pay the petitioner the amount of Tk. 10,000/- (Ten thousand) as compensation for the loss of his property.

2. Bihari Lal Das, the respondent, is directed to pay the petitioner the amount of Tk. 10,000/- (Ten thousand) as compensation for the loss of his property.

its Disposal.

Md. Aslam @ Md. Ashlam S/o late Azijur Rahman Resident of Ward No. 10, Bhupendra chowk, Madhepura, P.s+District Madhepura.

Versus

- Opposite Party

For the Petitioner : Mr. Tej Bahadur Singh, Sr. Advocate
Mr. Prabhat Kumar Singh, Advocate.
For the Opposite Party/s : Mr. A.L. Pandit (APP)

2. 10-02-2016 Heard learned Senior Counsel Sri Tej Bahadur Singh, in support of this application for anticipatory bail, which is being filed for the second time. On the earlier occasion, the petitioner came to this Court by filing Criminal Miscellaneous Case No. 33912 of 2013. This Court disposed of the said application vide order dated 24.12.2013, directing that, in the event of arrest or surrender the petitioner would be released on bail till submission of charge-sheet. This Court so ordered considering the fact that the allegations related to misappropriation and defalcation which could be accounted for. Now, the charge-sheet has been filed as

against the petitioner. Instead of surrendering in the Court below, he filed another anticipatory bail application before the Court of Sessions, which was rightly rejected. The present application is, thus, filed again for bail in anticipation of arrest, which, in my view, is not maintainable. This application is, accordingly, rejected.

The petitioner may, however, surrender before the Trial Court, and the Trial Court would proceed in accordance with the judgment of this Court in the case of **Bishundeo Sahu Vs. State of Bihar** since reported in **2011(1) PLJR 731**.

With this observation, this application stands disposed of.

(Navaniti Prasad Singh, J.)

Rajeev/-

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