

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36623 of 2017

Arising Out of PS. Case No.-107 Year-2015 Thana- TAJPUR District- Samastipur

Santosh Kumar Tiwari @ Annu Tiwari Son of Ram Kumar Tiwari, R/o
Village- Repura, P.S.- Waini O.P., District- Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Y.C. Verma, Sr. Adv. Mr. Anuj Kumar, Adv.
For the Opposite Party/s :		Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 13-09-2017 Heard Sri Y.C. Verma, learned Senior Counsel, assisted
by Sri Anuj Kumar, learned counsel for the petitioner and
learned Addl. Public Prosecutor.

This is second attempt for grant of bail on behalf of the petitioner. The petitioner is in custody only since 07.06.2016 in connection with Tajpur (Waini) P.S. Case No.107 of 2015 registered for the offence under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act. Earlier, the prayer for bail of the petitioner was rejected on 06.10.2016 vide Cr.Misc.No.40940 of 2016 considering the merit of the case.

Sri Y.C. Verma, learned Senior Counsel appearing on behalf of the petitioner tried to persuade the Court that earlier while prayer for bail of the petitioner was considered, the



postmortem examination report was not examined and, as such, he tried to place the case on merit, but the Court is of the opinion that once on merit, the prayer for bail of the petitioner was rejected, there is no point for hearing again and again on merit. It is true that successive bail is permissible , but such petition is entertainable only in changed circumstances.

Since I do not find any new ground for bail, the petition stands again dismissed.

(Rakesh Kumar, J)

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