

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.27379 of 2017**

Arising Out of PS.Case No. -78 Year- 2015 Thana -AMJOR District- SASARAM (ROHTAS)

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1. Vijay Kumar Singh @ Vijay Kumar, S/o Late Baikunth Singh the then Branch Manager, Sasaram- Bhabhua Central Co-operative Bank Ltd., Branch- Saraiya, permanent resident of Village- Silari, P.S.- Sheosagar, District- Rohtas.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar Singh  
For the Opposite Party/s : Mr. Satya Nand Shukla

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI  
SHARAN SINGH  
ORAL ORDER**

3     21-06-2017                      Heard learned Counsel for the petitioner and learned Additional Public Prosecutor representing the State.

This is the second attempt on behalf of the petitioner for grant of anticipatory bail. His application for grant of anticipatory bail was earlier rejected by an order, dated 10.09.2015, passed in Criminal Misc. No. 36921 of 2015. The petitioner had approached the Supreme Court against the said order by filing SLP (Cri) No. 19062 of 2016, which stood dismissed as withdrawn by an order, dated 25.11.2016.

It is being pointed out that after rejection of the anticipatory bail application of the petitioner by this Court,



some other accused persons have been granted anticipatory bail by order, dated 23.11.2015, passed in Criminal Misc. Nos. 34600 and 35744 of 2015.

I have seen the said order, dated 23.11.2015, from which it appears that the attention of the Court was not drawn to the order passed by me, dated 10.09.2015, in Criminal Misc. No. 36921 of 2015.

The second application for grant of anticipatory bail, in my view, cannot be entertained, as this will amount to reviewing the order earlier passed, which is impermissible under the Code of Criminal Procedure, 1973.

It is, however, indicated that if the petitioner appears before the learned Court below and applies for regular bail, the same shall be considered and disposed of on its own merits without being prejudiced by the present rejection order.

This application stand disposed of accordingly.

**(Chakradhari Sharan Singh, J.)**

Prabhakar Anand/-

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