

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39748 of 2017

Arising Out of PS.Case No. -34 Year- 2017 Thana -NASRIGANJ District- SASARAM (ROHTAS)

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Md. Firoj Ansari, S/o Jamaluddin Ansari, resident of village- Nasriganj,
P.S. Nasriganj, District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anirudh Pandey

For the Opposite Party/s : Mr. Sri Kanhaiya Kishore

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 23-08-2017 This application under Section 438 of the Code of Criminal Procedure has been filed for grant of pre-arrest bail to the petitioner in connection with Nasriganj P.S.Case No. 34 of 2017 registered under Section 376/420 of the Indian Penal Code.

The prayer for bail of the petitioner was earlier rejected by this Court vide order dated 07.07.2017 passed in Cr.Misc. No. 21837 of 2017. The operative part of the order reads as under :-

“It would be evident from the case-diary that the petitioner has tried to obtain bail by playing fraud upon the court. There is apparent interpolation in the FIR in order to show that the victim was an adult aged 26 years. Considering the gravity of the offence and the conduct of the petitioner, I am not inclined to grant him pre-arrest bail. Accordingly, his prayer for grant of pre-arrest bail is rejected.”

The renewal of the prayer for pre-arrest bail has been made without there being any new ground available to the



petitioner. In that view of the matter, I am of the opinion that the instant application is an abuse of the process of the Court.

Accordingly, the prayer for grant of pre-arrest bail of the petitioner is rejected.

The Superintendent of Police, Rohtas is directed to personally monitor and supervise the investigation of Nasriganj P.S.Case No. 34 of 2017. He shall also be required to ensure an early and speedy investigation, if the investigation of the case has already not been concluded.

(Ashwani Kumar Singh, J)

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