

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 1965 of 2016

Arising Out of P.S. Case No. -34 Year- 2008 Thana -BAISI District- PURNIA

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Guneshwar Singh S/o Raghunath Singh, Resident of Beshrajpur, P.S.- Mahnar,
District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 12-09-2018

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in Baisi P.S. Case No.
34 of 2008 registered for offence punishable under Sections 409/34
of the Indian Penal Code.

3. This is the third attempt for grant of Anticipatory Bail
as earlier such prayers were rejected on 25.07.2013 in Cr. Misc. No.
21876 of 2013 and thereafter on 07.10.2015 in Cr. Misc. No. 20390
of 2015.

4. Learned counsel for the petitioner submitted that after
the second rejection order dated 07.10.2015, though the police had
submitted final form against the petitioner but the Court diferring
from the same has taken cognizance and, thus, he may be granted the



privilege of Anticipatory Bail.

5. Learned A.P.P. submitted that twice the Court had rejected the prayer on merits and no fresh ground having been made out except for the police submitting final form, the Court may not grant any indulgence.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court does not find any merit in the present application. Besides the fact that twice on merits, the Court has considered and rejected the prayer, the Court finds that now a judicial Court, after applying its mind had taken cognizance, diferring from the police report, clearly indicates that there are materials for proceeding against the petitioner.

7. In such view of the matter, now it is for the petitioner to submit himself before the law and seek appropriate remedy.

8. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J.)

P. Kumar

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