

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53733 of 2018

Arising Out of PS. Case No.-89 Year-2018 Thana- ALOULI District- Khagaria

-
1. Bipin Singh, S/o Shankar Singh,
 2. Vibha Devi, W/o Bipin Singh,
- Both are Resident of Village- Budhaura, P.S.- Alauli, District- Khagaria.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Arun Kumar Gupta

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 06-10-2018 Two petitioners have filed the present petition with a prayer for grant of anticipatory bail in Alauli P.S. Case No. 89 of 2018 registered for offence under Sections 147, 353, 324 of the Indian Penal Code and Sections 30(a) /45 of the Bihar Prohibition and Excise Act.

Sri Sanjay Kumar Tiwary, learned Addl. Public Prosecutor has drawn my attention to the statement made in paragraph-2 of the petition and submits that mischievous fact has been stated in paragraph-2 of the petition.

I have perused the statement made in paragraph-2 of the petition, which is as follows:

“That the petitioners have not earlier moved before this Hon’ble Court earlier either for grant of



anticipatory or for regular bail in connection with the present case, except petitioners filed Cr. Misc. No. 31754 of 2018 for grant of anticipatory bail which has been rejected on 22.05.2018 by Hon'ble Mr. Justice Arun Kumar as not maintainable."

It is a peculiar case that in paragraph-2 of the petition, the petitioners have made statement that they had never moved before this Court earlier either for grant of anticipatory bail or for grant of regular bail and in the same paragraph, they have given number of petition i.e. Cr. Misc. No. 31754 of 2018, by which the prayer for anticipatory bail of the aforesaid petitioners was rejected. Copy of the order passed in Cr. Misc. No. 31754 of 2017 has been brought on record as Annexure-1. The said order was passed on 22-05-2018 and anticipatory bail of this petitioners was rejected and still, to the reasons best known to the prosecution, petitioners have not been apprehended and this is the reason that after lapse of more than three months, the present anticipatory bail petition has been filed without any change of circumstance.

Accordingly, the present anticipatory bail petition again stands dismissed. Let a copy of this order be sent to the concerned Superintendent of Police as to under what



circumstance, petitioners are still at large.

(Rakesh Kumar, J.)

nawalkrs/-

U		T	
---	--	---	--

