

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58660 of 2018

Arising Out of PS. Case No.-22 Year-2001 Thana- MURAR District- Buxar

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Dhruw Narayan Singh @ Dhurwanarain Singh , son of Shiv Narayan Singh,
resident of village - Bangauli, P.S.- Murar in the District of Buxar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Adv.

For the Opposite Party/s : Mr. Vinod Shankar Modi, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 20-09-2018 Heard Sri Sunil Kumar, learned counsel for the

petitioner and Sri Vinod Shankar Modi, learned Addl. Public

Prosecutor.

The sole petitioner, apprehending his arrest in Murar
P.S. Case No. 22 of 2001 registered for offence under Section
409 of the Indian Penal Code, has prayed for grant of bail, in the
event of his arrest or surrender.

Learned counsel for the petitioner submits that though
in the F.I.R., it was alleged that the petitioner had not completed
the contract work and misappropriated huge amount to the tune
of Rs. 1,26,041/-, subsequently the Block Development Officer
vide Annexure-3 to the present petition had requested the
District Magistrate, Buxar to exonerate the petitioner from the
case. Accordingly, it has been prayed for extending the privilege



of anticipatory bail to the petitioner.

Sri Vinod Shankar Modi, learned Addl. Public Prosecutor has opposed the prayer for grant of anticipatory bail. He has drawn my attention to the statement made in paragraph-2 of the petition to show that the anticipatory bail of the petitioner was already rejected long back on 12-12-2003 vide Cr. Misc. No. 26454 of 2003. However, still the petitioner is at large and this is the second anticipatory bail petition on behalf of the petitioner.

Considering the fact that F.I.R. was lodged long back in the year 2001, in which petitioner was arrayed as accused in the F.I.R. as well as the fact that his anticipatory bail petition was rejected in 2003 itself, there is no reason to entertain the prayer for grant of anticipatory bail.

Accordingly, the present anticipatory bail petition stands dismissed with a direction to the Superintendent of Police, Buxar to examine as to under what circumstances, the petitioner, even after rejection of his anticipatory bail petition in the year 2003, still has filed the present anticipatory bail petition. He is also required to conduct an enquiry regarding role of other officials in the matter.

Let a copy of this order be sent to the concerned



Superintendent of Police for its compliance.

The anticipatory bail petition stands dismissed.

(Rakesh Kumar, J.)

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