

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 10704 of 2017

Arising Out of P.S.Case No. -54 Year- 2015 Thana -IMAMGANJ District- GAYA

- =====
1. Mukhdeo Kumar Yadav, Son of Hiranman Yadav, resident of Village-Biraj, P.S.-Kothi, District-Gaya.
 2. Md. Moin Alam, Son of Md. Imamuddin, Resident of Village- Jhikatiya, P.S.-Kothi, District-Gaya.
 3. Pankaj Kumar Gupta, Son of Ayodhya Prasad Gupta, resident of Village-Lalit Nagar, Dandibag, P.S.-Bishunpura, District-Gaya.
 4. Md. Nematullah Uranshi @ Md. Nematullah Quraishi, Son of Md. Wazzmuddin Quaraishi @ Md. Nezamuddin Kuressi, Resident of Village-Balapur (Belwar), P.S.-Kothi, District-Gaya.
 5. Sarwan Kumar, Son of Birendra Prasad Yadav @ Birendra Prasad, Resident of Village-Bilropur (Bikopur), P.S.-Kothi, District-Gaya.
 6. Rana Digambar Singh, Son of Ramanugrah Singh Resident of Village-Bishrampur, P.S. Imamganj, District-Gaya.
 8. Nagendra Kumar Singh, Son of Late Devnandan Singh, Resident of Village-Nawakhap, P.S.-Imamganj, District-Gaya.
 9. Vijay Kumar Singh, Son of Ram Kewal Singh, Resident of Village-Childmi Kala, Chilmi Kala, P.S.-Amas, District-Gaya.
 10. Raju Kumar Gupta, Son of Sukhram Gupta @ Subhram Gupta, Resident of Village-Bhagrampur, P.S.-Kothi, District-Gaya, permanent address-Resident of Village & P.S.-Bhagwanpur, Hat, District-Siwan (Bihar).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 19-09-2018

Heard learned counsel for the petitioners and learned

A.P.P. for the State.

2. The petition is pressed on behalf of the petitioners except for petitioner no. 7 on whose behalf the application had already been withdrawn as he had been arrested.

3. The petitioners apprehend arrest in Imamganj P.S.



Case No. 54 of 2015 dated 11.05.2015 instituted under Section 409 of the Indian Penal Code.

4. This is the second attempt for grant of anticipatory bail as earlier such prayer was rejected by order dated 05.10.2016 in Cr. Misc. No. 43923 of 2016.

5. Learned counsel for the petitioners submitted that three similarly situated co-accused have been granted bail by a co-ordinate Bench of this Court on 05.12.2016 in Cr. Misc. No. 46743 of 2016.

6. Learned A.P.P submitted that after the order of last rejection, no other ground has been pressed on merits except for the indulgence given to co-accused.

7. Having considered the matter, the Court does not find any ground to reconsider the matter on merits solely on the ground that a co-ordinate Bench has taken a different view. The Court would only observe here that if the petitioners seek parity with the order of a co-ordinate Bench then at the time when the co-ordinate Bench was hearing the matter, which was after two months of this Court having rejected the prayer for anticipatory bail of the petitioners, such order was also required to be brought to the notice of the co-ordinate Bench.

8. In view thereof, for the reasons recorded in the earlier order and no fresh ground on merits having been made out to



persuade the Court to reconsider its earlier decision, the present application also stands dismissed.

(Ahsanuddin Amanullah, J.)

P. Kumar

AFR/NAFR	
U	
T	

