

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26164 of 2018

Arising Out of PS. Case No.-172 Year-2017 Thana- RAGHUNATHPUR District- Siwan

Sarfraz Khan @ Sarfraz Ali Khan @ Badu S/o Makbul Khan, R/o Vill.-
Salempur, P.S.- Raghunathpur, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhakar Singh
For the Opposite Party/s : Dr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 09-05-2018 The prayer for anticipatory bail of the petitioner was earlier rejected by this Court vide order dated 17.2. 2018 passed in Cr. Misc. no. 5876 of 2018 on merit. It is mentioned in the aforesaid order that in different paragraphs of the case diary the witnesses have levelled specific allegation against this petitioner.

Learned counsel for the petitioner submits that one of the co- accused, namely, Raj Kishore Yadav, with similar allegation, has been granted anticipatory bail on 10.4.18 passed in Cr. Misc. no. 12415 of 2018.

From perusal of the aforesaid order, it appears that material against the petitioner in the case diary was not brought to the notice of this Court and he has been granted anticipatory bail. This Court finds that the order dated 17.2.18 has been



passed by this Court after looking into the materials available in the case diary and also on merit.

Therefore, this Court is not inclined to entertain the second anticipatory bail petition filed on behalf of the petitioner. Prayer for anticipatory bail of the petitioner stands rejected.

The informant is given liberty to move for cancellation of bail granted to co-accused Raj Kishore Yadav who has been granted anticipatory bail by this Court subsequently without placing all the materials available in the case diary.

(Sanjay Priya, J)

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