

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66377 of 2018

Arising Out of PS. Case No.-308 Year-2017 Thana- CHHATAPUR District- Supaul

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1. Md. Ismail @ Ismail Son of Late Sikandar Ali
 2. Md. Majarul Haque @ Md. Majarul Son of Md. Ismil
 3. Md. Ismail @ Usnauk @ Ismail Son of Abdul Mannan
- All Resident of Village-Pariyahi, P.S. Chhatapur, Distt.-Supaul

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhim Kumar Yadav

For the Opposite Party/s : Mr.Sri Binod Kumar 2

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 13-02-2019 Heard both sides.

The petitioners apprehend their arrest in Chhatapur P.S. Case No.308 of 2017 registered under Sections 326, 325, 307, 384 and other sections of the Indian Penal Code.

Learned counsel for the petitioners submits that the prayer for anticipatory bail of the petitioners was earlier rejected by order dated 02.02.2018 passed in Cr. Misc. No.5129 of 2018 mainly on the ground that the petitioners were accused in Chhatapur P.S. Case No.156 of 2016 for killing of the son of informant after kidnapping him and there is specific allegation against petitioner nos.2 and 3 and they assaulted the son of informant with lathi on account of which the son of informant died.



It is submitted that the petitioners have already been acquitted in Chhatapur P.S. Case No.156 of 2016 and, therefore, the petitioners again filed this petition for grant of anticipatory bail. The petitioners got criminal antecedent and, therefore, their prayer for anticipatory bail was rejected.

Taking into consideration the facts, I do not find acquittal of petitioners in another case a new ground for reconsideration of the anticipatory bail of the petitioners. Accordingly, the prayer for anticipatory bail of the petitioners is once again rejected.

(Prabhat Kumar Jha, J)

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