

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76517 of 2018

Arising Out of PS. Case No.-159 Year-2010 Thana- KARJA District- Muzaffarpur

1. Chandeshwar Ojha S/o Late Raghunath Ojha,
2. Ankesh Kumar, S/o Sri Chandeshwar Ojha, Both resident of village- Rautaniya, P.S.- Karja, District- Muzaffarpur.
3. Raj Mangal Rai, S/o Bizali Rai, Resident of Village- Nawada, P.S. Karja, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand

For the Opposite Party/s : Mr.Sri Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 21-08-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have renewed the prayer for anticipatory bail in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 325, 326, 307, 379 and 504 of the Indian Penal Code.

The prosecution case is that five FIR named accused persons including the petitioner and 10 unknown persons came to agricultural field of the informant and made bundles of harvested paddy crop of the informant. On protest being made, they abused and assaulted the informant. It is alleged that in course of assault co-accused Shahnawaj @ Ladle assaulted the



brother of the informant with Farsa causing injury on mouth and uprooting of teeth and co-accused Pappu Kumar assaulted the informant with knife causing injury on his nose but when the informant tried to ward off, he received cut injury on his hand. It is further alleged that petitioner no. 2, Ankesh Kumar snatched a gold chain from the possession of the brother of the informant petitioner no. 1, Chandeshwar Ojha snatched Rs.5,000/- and petitioner no. 3, Raj Mangal Rai snatched wrist watch from the brother of the informant.

It appears that the petitioners were earlier granted anticipatory bail by this Court vide order dated 17.03.2011 passed in Cr. Misc. Nos. 4393 of 2011 and 6703 of 2011 but they failed to furnish bail bonds. The present anticipatory bail application has been registered on 18.12.2018.

Considering the fact that the earlier the petitioners were granted anticipatory bail application, the second anticipatory bail application is not maintainable. The present application has been preferred after more than seven years of initial grant of anticipatory bail, this Court is not inclined to entertain the present application. However, keeping view the fact that the petitioners were earlier granted anticipatory bail on merits, let the learned Court below consider the prayer for



regular bail of the petitioners without being prejudiced by the order of this Court, if the petitioners surrender within a period of six weeks from today in connection with Kajra P.S. Case No. 159 of 2010, pending in the Court of learned S.D.J.M. (West), Muzaffarpur.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

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