

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5568 of 2020

Arising Out of PS. Case No.-786 Year-2016 Thana- AHIYAPUR District- Muzaffarpur

SAURAV KUMAR MISHRA @ KUMAR SAURAV Son of Amod Kumar
Mishra Resident of Village - Swami Nagar, Purana Motihari Marg, Mohalla -
Kolhua Paigamberpur, Bairia, P.S.- Ahiyapur, Distt - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Y.C. Verma, Sr. Adv.
Mr. Sanjiv Sharan
For the Opposite Party/s : Mr. Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 28-02-2020 Heard Mr. Y.C. Verma, learned senior counsel for the

petitioner and Mr. Ahmad Ali, learned counsel for the State

being assisted by the learned counsel for the informant.

By way of the present application preferred under
Section 438 of the Cr.P.C., the petitioner has renewed his prayer
for grant of pre-arrest bail in connection with Ahiyapur P.S.
Case No. 786 of 2016 registered under Section 304B read with
34 of the Indian Penal Code.

The prayer for grant of pre-arrest bail of the petitioner
was earlier rejected by this Court twice on merits. The first
rejection of his pre-arrest bail was on 24.01.2018 in Cr. Misc.
No. 49616 of 2017 and the second rejection of his pre-arrest bail
was on 12.09.2018 in Cr. Misc. No. 55189 of 2018. Since then,



there is no changed circumstance.

Learned senior counsel appearing for the petitioner has tried to persuade me that earlier orders passed by this Court were erroneous.

In my opinion, the said ground would not entitle the petitioner to seek a review of the earlier orders. If the petitioner was aggrieved by the previous orders whereby his applications for pre-arrest bail were rejected, it was for him to assail the orders before the Apex Court.

Since the same has not been done, this Court cannot review its own orders merely because of change of counsel.

For the reasons stated above as well as the reasons on which the earlier applications for grant of pre-arrest bail of the petitioner were rejected, I see no reason to take a different view of the matter. The application is dismissed.

(Ashwani Kumar Singh, J)

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