

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10614 of 2020

Arising Out of PS. Case No.-72 Year-2018 Thana- ROH District- Nawada

1. CHINTA DEVI Wife of Muneshwar Manjhi Resident of Village - Gorihari, P.S.- Roh, District - Nawada.
2. Pankaj Manjhi Son of Muneshwar Manjhi Resident of Village - Gorihari, P.S.- Roh, District - Nawada.
3. Gore Manjhi Son of Late Yugal Manjhi Resident of Village - Gorihari, P.S.- Roh, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma
For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-06-2020 Heard learned Counsel for the petitioners and learned Additional Public Prosecutor representing the State, through Video Conferencing.

This application, for grant of anticipatory bail, arises out of Roh Police Station Case No. 72 of 2018, disclosing offences under Sections 147/148/323/324/307/379/120-B/354/452/34 of the Indian Penal Code.

I have perused the impugned order, dated 21.01.2020, passed by learned Incharge Sessions Judge, Nawada, in A.B.P. No. 1766 of 2019. It appears that the petitioners had earlier moved before the learned Sessions Judge, Nawada, for grant of



anticipatory bail, by filing A.B.P. No. 1630 of 2018, which was rejected by learned Sessions Judge, by order, dated 28.09.2018.

Learned Counsel for the petitioners submits that the petitioners moved before the learned Court below again for grant of anticipatory bail by filing A.B.P. No. 1766 of 2019 because earlier bail application (A.B.P. No. 1630 of 2018) was rejected in absence of case diary and now the case diary has come and the petitioners have fresh grounds to maintain the second anticipatory bail application before the learned Court below.

On the other hand, learned Additional Public Prosecutor submits that the present anticipatory bail application is not maintainable inasmuch as the petitioners have preferred the anticipatory bail application for second time before the learned Court below as the first anticipatory bail application (A.B.P. No. 1630 of 2018) was rejected on 28.09.2018.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the first anticipatory bail application (A.B.P. No. 1630 of 2018) filed on behalf of the petitioners has already been rejected on 28.09.2018 by the learned Court below and the petitioners have moved again for grant of anticipatory bail before the learned Court



below by filing A.B.P. No. 1766 of 2019, accordingly I do not find any error in the order dated 21.01.2020, passed by the learned Sessions Judge, in A.B.P. No. 1766 of 2019.

This application is, accordingly, not maintainable and the same is rejected.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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