

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76861 of 2019

Arising Out of PS. Case No.-126 Year-2019 Thana- NAVINAGAR District- Aurangabad

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1. Sukeswar Sharma @ Sideswar Sharma @ Sudeshwar Sharma, Son of Late Dharmadeo Sharma Resident of Village- Bara Patna, P.S.- Nabinagar, District- Aurangabad.
 2. Bablu Sharma @ Babal Sharma @ Babal Kumar @ Bablu Kumar, Son of Gupteshwar Sharma @ Gupteshwar Mistri Resident of Village- Bara Patna, P.S.- Nabinagar, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Yugal Kishore Rupa Kumari
For the Opposite Party/s	:	Mr.Brajendra Nath Pandey
For the Informant	:	Lilawati Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 22-01-2020 Heard Mr. Yugal Kishore, learned counsel appearing on behalf of the petitioners, Ms. Lilawati Singh, learned counsel appearing on behalf of the informant and learned counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with Navinagar P.S. Case No.126 of 2019 registered for the offences punishable under Sections 341, 323, 447, 379, 504, 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that this is second attempt by the petitioners for bail inasmuch as by order dated 01.10.2019 passed in Cr. Misc. No.42893 of 2019, the bail application of the petitioners have been rejected. Learned counsel appearing for the petitioners further submits that all the



facts were not placed before this Court at the time of hearing of earlier bail application on behalf of the petitioners, therefore, second application has been filed stating therein that there is no overt act upon petitioner No.2. Learned counsel further submits that petitioner No.1 has been arrested during the pendency of this application. Since petitioner No.1 has already been arrested, therefore, this application for anticipatory bail on his behalf as second attempt is dismissed as infrutuous.

On the other hand, learned counsel appearing for informant submits that all the facts were pressed by learned senior counsel at the time of hearing of earlier bail application filed on behalf of these petitioners and after hearing the arguments when the Court was not inclined then learned senior counsel appearing for these petitioners sought permission to withdraw this application in order to seek regular bail. Learned counsel further submits that no fresh material and grounds have been placed by the petitioners to maintain the second anticipatory bail application.

After having heard learned counsel for the petitioners as well as learned counsel appearing on behalf of the State and taking into consideration the fact that earlier bail application of these petitioners have been rejected by this Court vide order



dated 01.10.2019 passed in Cr. Misc. No.42893 of 2019 and no fresh material or development has been brought on record by the petitioners in the present application, I am not inclined to grant anticipatory bail to the petitioners and the same is hereby rejected.

(Anil Kumar Sinha, J)

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