

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83376 of 2019

Arising Out of PS. Case No.-23 Year-2019 Thana- MADHUBANI TOWN District-
Madhubani

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RAMAN KUMAR GUPTA, Son of Arun Kumar Gupta, Resident of Village -
Bhauwara Purani Durga Mandir, Ward No. 25, P.S.- Madhubani Town, Distt -
Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar Gupta, Advocate Mr.Devendra Kumar, Advocate
For the informant	:	Mr. Rikesh Sinha, Advocate
For the Opposite Party/s	:	Ms.Anita Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 29-01-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The present application has been filed for grant of
anticipatory bail to the petitioner in connection with Madhubani
P.S. Case No. 23 of 2019 registered under Sections 341/323/
379/307/504/34 of Indian Penal Code.

This is second attempt on behalf of the petitioner for
grant of anticipatory bail in as much as the petitioner had earlier
preferred anticipatory bail application vide Criminal Misc. No.
45614 of 2019 which was rejected by this Court vide order
dated 24.07.2019.

The petitioner has filed this second anticipatory bail



application on the ground that there was a land dispute between the parties and now both the parties have compromised their differences.

Learned Counsel for the petitioner submits that after the rejection of the anticipatory bail application by this Court earlier, the parties have entered into compromise and a joint petition has been filed by the parties before the Court below on 22.10.2019 stating therein that the parties do not want to further prosecute their cases.

On the other hand Mr. Rikesh Sinha, learned Counsel appearing on behalf of the informant, vehemently opposes the prayer for anticipatory bail filed by the petitioner for the second time and submits that there is no land dispute between the parties as recorded earlier by this Court in its order dated 24.07.2019 while rejecting the first anticipatory bail application filed on behalf of the petitioner. He further submits that the compromise was not arrived at between the parties voluntarily and the informant was pressurized to enter into compromise and the behaviour of the petitioner after alleged compromise is not good towards the informant. He, thus, submits that the petitioner does not deserve anticipatory bail on the basis of the second application filed by him based upon the fact that there is a land



dispute and compromise has been arrived at between the parties.

After hearing learned counsel for the parties and taking into consideration the fact that the anticipatory bail application of the petitioner has already been rejected by this Court earlier on its merit and by way of the second anticipatory bail application the petitioner is trying to argue his case afresh, I am not inclined to exercise my discretion for grant of anticipatory bail to the petitioner who has filed the present second anticipatory bail application after rejection of the first anticipatory bail application by this Court.

Accordingly this second anticipatory bail application is dismissed.

(Anil Kumar Sinha, J.)

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