

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16139 of 2020

Arising Out of PS. Case No.-53 Year-2019 Thana- DANDKHORA District- Katihar

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1. MADAN KUMAR ARYA, aged about 40 years, Male.
 2. Jaiswal Sah @ Jaspal Kumar Sah, aged about 51 years, Male.
Both sons of late Nand Prasad Arya.
 3. Chandradev Hembram @ Chandradev Hansda, aged about 46 years, male,
son of late Bitka Hambram.
All residents of village -Sauriya, P.S.-Dandkhora, District - Katihar.

... .. Petitioners

Versus

1. The State of Bihar.
2. Santosh Kumar Sah, aged about 38 years, Male, son of Ramjee Sah,
Resident of Village - Sauriya, P.S.-Dandkhora, District – Katihar.

... .. Opposite Parties

Appearance :

For the Petitioner/s	:	Mr. Makardhwaj Upadhyay, Advocate
For the Opposite Party/s	:	Mr. Anil Prasad Singh, Advocate
For the informant	:	Mr. Krishna Chand Ojha, Advocate

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 08-01-2021 Heard learned counsel for the petitioners, learned
APP for the State and learned counsel for the informant, who
has appeared after notice.

This is the second attempt of the petitioners for
grant of anticipatory bail. Earlier, the petitioner have approached
this Court in Criminal Miscellaneous No.79105 of 2019 and this
Court vide order dated 11.12.2019 rejected the prayer for
anticipatory bail of the petitioners.

Learned counsel for the petitioners submits that co-



accused Amar Kumar Arya, Pankaj Kumar Arya and Ajay Kumar Arya have been granted anticipatory bail by a coordinate Bench of this Court in Criminal Miscellaneous No.79289 of 2019 vide order dated 18.12.2019.

As this Court, in earlier occasion, has already considered the case on merit, there is no question for reconsideration of the same at this stage. Hence, the prayer for anticipatory bail on behalf of the petitioners is rejected. However, if the petitioners surrender before the Court below within four weeks from today and pray for regular bail, the Court below will consider the same and pass appropriate order on the same day without being influenced by the order of this Court. While passing the order, the Court below will consider the fact that other accused persons have been granted bail by this Court.

(Shivaji Pandey, J)

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