

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1021 of 2020

Arising Out of PS. Case No.-43 Year-2015 Thana- SC/ST District- Saran

NISU SINGH, age 24 (M), Son of Arun Singh, Resident of Village - Bara Gotam, P.S.- Marhorah, Dist.- Saran.

... .. Appellant

Versus

THE STATE OF BIHAR

... .. Respondent

Appearance :

For the Appellant : Mr.Manoj Kumar, Advocate.
For the Respondent : Mr.Binay Krishna, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-02-2021 Heard learned counsels for the parties.

The matter relates to grant of anticipatory bail to the appellant in connection with A.B.P. No. 192/2020, arising out of Saran SC/ST (POA) P.S. Case No. 43/15, pending in the court of learned Additional District and Sessions Judge-Ist-cum-Special Judge-Ist, SC/ST Act (POA), Saran at Chapra, registered for the offences under Sections 147, 148, 149, 341, 323, 325, 379, 504/34 of the I.P.C. and 3(1)(ii)(x) of SC/ST (POA) Act.

The prosecution case, in short, is that while the informant was going to market for purchasing cow, on the way, accused persons including the appellant surrounded him and started abusing and assaulting him by saying his caste name. Nishu Singh (appellant) assaulted him with *Lathi* causing leg injury. Co-accused Lav Singh took out Rs. 540/- from his pocket



and assaulted him with fists and slaps. He also urinated upon the informant.

Earlier an appeal for grant of anticipatory bail of the appellant was dismissed as withdrawn vide Cr. Appeal (SJ) No. 63 of 2017 under order dated 17.04.2017 by the then another Co-ordinate Bench of this Court, annexed as Annexure-1 series to the present appeal.

This is second attempt for grant of anticipatory bail filed on behalf of the appellant.

It has been submitted on behalf of the appellant that other co-accused has been granted anticipatory bail by another Co-ordinate Bench of this Court vide Cr. Appeal (SJ) No. 4125 of 2018 under judgment dated 18.12.2018.

In light of the order passed by Hon'ble Supreme Court in the case of G.R. Ananda Babu Vs. State of Tamil Nadu passed in SLP (Crl.) No. 213 of 2021 under order dated 28.01.2021, successive attempts/applications for grant of anticipatory bail ought not to be maintained.

Accordingly, the present appeal is dismissed.

In case, the appellant surrenders in the learned court below and prays for regular bail, the same shall be considered by the learned court below on its own merit without being



prejudiced by this order of the Court and if possible the same
may be disposed of on the same day.

(Sudhir Singh, J)

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