

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36947 of 2021

Arising Out of PS. Case No.-160 Year-2014 Thana- PATEPUR District- Vaishali

RATNESH KUMAR SINGH @ RATNESH KUMAR, Male, aged about 31 years, son of Devendra Prasad Singh, resident of Village- Maudah Bujurg, Part-1, P.S.- Patepur, District- Vaishali.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate
For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

5 08-09-2021 The matter has been taken up for hearing on-line because of COVID-19 pandemic restrictions.

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Patepur P.S. Case No.160 of 2014, registered for the offences punishable under Sections 304(B)/34 of the Indian Penal Code.

This second anticipatory bail application has been filed on behalf of the petitioner more than five years after his earlier application registered as Criminal Miscellaneous No.17902 of 2016 was permitted to be withdrawn by an order dated 18.05.2016, a copy of which has been brought on record by way of Annexure-2 to the supplementary affidavit filed in this case.



On perusal of the order dated 18.05.2016, it is evident that the petitioner was directed to surrender before the court below in connection with the said case within a period of four weeks from the date of passing of the said order. In stead of complying with the said order dated 18.05.2016, he has approached this Court more than five years thereafter seeking anticipatory bail on the ground of certain developments which have taken place during the course of investigation.

Since the petitioner has not complied with the order dated 18.05.2016 passed in Criminal Miscellaneous No.17902 of 2016 and has approached this Court more than five years thereafter, his second anticipatory bail application cannot be entertained and accordingly, the same is dismissed.

(Chakradhari Sharan Singh, J)

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