

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41533 of 2021

Arising Out of PS. Case No.-169 Year-2019 Thana- MOHANIYA District- Kaimur (Bhabua)

DILIP KUMAR SAH @ DILIP SHAH SON OF BADRI PRASAD Resident
of Village- Jaso Road, Buxar, P.S.- Muffasil Buxar, Distt.- Buxar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey, Adv.

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 15-09-2021 Heard Mr. Rajani Kant Pandey, learned counsel for
the petitioner and Mr. Akshay Lal Pandit, learned Additional
Public Prosecutor for the State through video conferencing.

Petitioner renews his prayer for anticipatory bail in
connection with Mohania PS Case No. 169/2019 registered for
the offence punishable under Sections
420/467/468/401/413/411/120B of the IPC inasmuch as earlier
anticipatory bail application of the petitioner was rejected *vide*
order dated 27.07.2019 passed in Cr. Misc No. 45113/2019
(Annexure-1).

Learned counsel for the petitioner submits that two
FIRs were lodged for the same offence inasmuch as Mohania PS
Case No. 163/2019 was lodged under Section 379 IPC wherein
the petitioner has been granted anticipatory bail by the Co-



ordinate Bench of this Court. Learned counsel next submits that Mohania PS Case No. 163/2019 was lodged by the owner of the vehicle whereas the present case has been lodged by Sub Inspector of Police Mohania PS.

While rejecting the anticipatory bail application of the petitioner on merit, this Court had come to the conclusion that the name of the petitioner has come on the basis of the statement of the co-accused, who is own brother of the petitioner and has been running the rice mill along with the petitioner and the allegation against the petitioner is corroborated by the chain of events.

Accordingly, I am not inclined to grant anticipatory bail to the petitioner merely because he has been granted anticipatory bail in Mohania PS Case No. 163/2019 lodged by the owner of the vehicle. As such, the present application for anticipatory bail is, hereby, rejected.

(Anil Kumar Sinha, J)

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