

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48872 of 2021**

Arising Out of PS. Case No.-210 Year-2019 Thana- SARMERA District- Nalanda

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SRIMATI MOHPATI DEVI @ MAHAPATI DEVI W/o ARUN RAM @
ARUN KUMAR WARD MEMBER OF WARD No.12, R/o VILLAGE-
SADHAHA, P.S-SARMERA, DISTRICT-NALANDA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabindra Kumar,
Mr. Rama Kant Singh, Advocates
For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 15-09-2021 Heard Mr. Rabindra Kumar, learned counsel for the

petitioner and Mr. Parmeshwar Mehta, learned APP for the State

via virtual mode.

Petitioner renews his prayer for anticipatory bail for
the second time inasmuch as earlier anticipatory bail application
of the petitioner was rejected *vide* order dated 10.12.2020
passed in Cr. Misc No. 45113/2019 by this Court (Annexure-1).

Learned counsel for the petitioner submits that
correct fact was not brought to the notice of this Court at the
time of hearing of the previous anticipatory bail application and
accordingly, this Court after taking into consideration the
material produced by the State that in *Nal Jal* Scheme,
submersible pump was not installed at the required place and



further on the basis of report of the Joint Enquiry Committee that the work has not been executed by the petitioner, had rejected the anticipatory bail petition earlier.

He next submits that from perusal of Annexure-3 Series of the present application, it would be evident that the entire work had already been completed at the time of hearing of first anticipatory bail application.

Regard being had to the submissions of the learned counsel for the petitioner, I am not inclined to grant anticipatory bail to the petitioner for the second time inasmuch as the earlier anticipatory bail application of the petitioner was dismissed on merit and now the petitioner is trying to reargue the matter for the second time on the basis of certain materials which, according to the petitioner, was already available on the record at the time of hearing of his first anticipatory bail application. In my opinion this cannot be the ground for re-consideration of the anticipatory bail for the second time. Accordingly, the same is, hereby, rejected.

(Anil Kumar Sinha, J)

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