

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18047 of 2022

Arising Out of PS. Case No.-80 Year-2020 Thana- UPHARA District- Aurangabad

1. SANJAY MAHTO @ SANJAY KUMAR S/o Sri Bachan Mahto @ Bachan Singh Resident of Village- Shankardih, P.S.- Uphara, District- Aurangabad (Bihar).
2. Veer Kunwar @ Veer Kunwar Singh Son of Veer Chand Mahto Resident of Village- Shankardih, P.S.- Uphara, District- Aurangabad (Bihar).

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Leelawati Kumari
For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 13-04-2022 Learned counsel for the petitioners is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection with Uphara P.S. Case No. 80/2020 registered for the offences punishable under Sections 147/148/149/302 of the Indian Penal Code and Section 27 of the Arms Act.

This is the second anticipatory bail application of the petitioners.

In view of the recent judgment of the Supreme Court



passed in the case of *G.R. Ananda Babu Vs. State of Tamil Nadu* and another reported in *2021 SCC OnLine SC 176*, second anticipatory bail of the petitioner is not maintainable. It is, accordingly, dismissed.

If the petitioners surrender in the Court below within next two weeks from today then the regular bail of the petitioners shall be considered on its own merit without being prejudiced by the fact that the same has been rejected by this Court twice and the court below shall also consider the fact that similarly situated co-accused persons have already been granted bail in this case.

(Sandeep Kumar, J)

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