

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.57609 of 2022**

Arising Out of PS. Case No.-180 Year-2021 Thana- ARA NAWADA District- Bhojpur

VIKASH KUMAR Son of Jalendra Lal Resident of Mohalla - East Railway  
Gumti, Jawahar Tola Ara, P.S.- Nawada, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Surendra Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      02-11-2022                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

This is the second attempt of the petitioner to seek anticipatory bail as earlier *vide* order dated 27.07.2022 in Cr. Misc. No. 70445 of 2021 petitioner was permitted to withdraw the anticipatory bail application with liberty to surrender before the learned trial court by 17.08.2022 and the learned trial court was directed to dispose of the case on the same day but it appears that the petitioner instead of surrendering has again filed this case which got registered on 21.10.2022 i.e., nearly more than two months after the date of surrender fixed by this Court on the ground that some of the co-accused subsequently have been granted anticipatory bail.

Learned A.P.P. for the State opposes the prayer for



anticipatory bail of the petitioner and submits that it is not that in every case a second anticipatory bail application is not maintainable but provided there are new grounds for consideration but the ground raised by the petitioner in the present anticipatory bail application is not tenable as while granting anticipatory bail to the other co-accused it was noted that they were mother and brothers of this petitioner.

Considering the submissions made by learned A.P.P. for the State, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner. His prayer for anticipatory bail is thus rejected.

**(Satyavrat Verma, J)**

Rishi/-

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