

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65531 of 2022

Arising Out of PS. Case No.-349 Year-2019 Thana- JOGAPATTI District- West Champaran

Aachhelal Mahto Son of Sri Kuber Mahto R/V- Paregwa, P.S- Jogapatti, Dist-
West champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Ajeet Kumar Bhardwaj, Advocate
For the Opposite Party : Mr. Bhanu Pratap Singh,

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 30-11-2022 Heard the parties.

The prayer for anticipatory bail of the petitioner was rejected by this Court vide order dated 14.12.2021 passed in Cr. Misc. No. 74 of 2021. Thereafter, the petitioner has not surrendered in the court below and again he has renewed his prayer for anticipatory bail.

The allegations against the petitioner are serious in nature as he is an accused for the offences under Sections 363, 366(A), 504/34 of the IPC and Section 4 of the POCSO Act.

In these circumstances, in view of the recent judgment of the Supreme Court 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 on behalf of the petitioner is not maintainable. It is, accordingly, dismissed.



The Superintendent of Police, West Champaran is directed to furnish a report as to why the accused of committing the offences Sections 363, 366(A), 504/34 of the IPC and Section 4 of the POCSO Act has yet not been arrested. This report must be sent to this Court on or before the next date of hearing.

List this case on the *next Wednesday (07.12.2022) for further hearing.*

Let a copy of this order be communicated to the Superintendent of Police, West Champaran at Bettiah for its compliance through FAX and e-mail forthwith.

Mr. Jharkhandi Upadhyay, learned APP for the State, is directed to communicate this order to the Superintendent of Police, West Champaran at Bettiah through *WhatsApp* and on telephone immediately and obtain a report.

(Sandeep Kumar, J)

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