

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17150 of 2023

Arising Out of PS. Case No.-215 Year-2019 Thana- MAHUA District- Vaishali

1. Rishi Kumar, Gender-Male, Aged about 42 years son of Satrugan Sharma.
2. Ajeet Ranjan @ Jhunnu Kumar, Gender-Male, Aged about 35 years son of
Satrugan Sharma.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar
For the Opposite Party/s : Mr. Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 30-05-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioner seeks anticipatory bail in connection with Mahua Police Station Case No. 215 of 2019 dated 14.04.2019, registered for the offences punishable under Sections 384/307/34 of the Indian Penal Code and Section 27 of the Arms Act.

Inasmuch as, the anticipatory bail application of the petitioners was earlier rejected by a Co-ordinate Bench of this Court *vide* order dated 12.07.2019 passed in Criminal Miscellaneous No. 43084 of 2019 and while rejecting the bail application, a Bench of this Court had directed the petitioners to surrender before the Court below and make prayer for regular bail with the observation that the regular bail shall be considered by the learned Court below on its own merit, petitioners have



filed second anticipatory bail after a lapse of about four years on the basis of compromise.

Pursuant to the aforesaid order, the petitioners have not surrendered before the learned Court below and has filed the second anticipatory bail application, on the ground that after investigation, the police has submitted charge-sheet against the petitioners only under Sections 323, 328 and 34 of the Indian Penal Code, but not under Section 307 of the Indian Penal Code.

Learned counsel submits that the parties have come to a compromise after the date of rejection of the anticipatory bail application by this Court.

Regards being had to the submissions made on behalf of the parties and taking into consideration that the offences are not compoundable and the petitioners did not surrender pursuant to the earlier observations of this Court while rejecting their anticipatory bail application, accordingly, in my opinion, the successive anticipatory bail application cannot be entertained by this Court.

This application is, accordingly, dismissed.

(Anil Kumar Sinha, J)

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