

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33249 of 2022

Arising Out of PS. Case No.-17 Year-2019 Thana- C.B.I CASE District- Patna

ANAND MOHAN @ PRAVEEN KUMAR TIWARI S/o Sheomangal Tiwari
R/o village- Manik Parusi, P.S.- Nasariganj, District- Rohtas, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Central Bureau of Investigation, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Tiwary, Advocate

For the Opposite Party/s : Ms. Anita Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 10-08-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 120(B), 419, 420, 467, 468 and 479 of the Indian Penal Code as well as Sections 13(2) read with 13(1)(d) of the Prevention of Corruption Act, 1988.

3. Learned counsel for the petitioner submits that petitioner had moved earlier seeking anticipatory bail vide Cr. Misc. No. 17690 of 2021 and was granted the privilege of anticipatory bail by order dated 24.11.2021 by a Coordinate Bench of this Court with a condition that petitioner shall surrender within a period of thirty days from the date of receipt of the order. It is further submitted that petitioner did not



surrender in time and thus filed a modification application being Cr. Misc. No. 72566 of 2021 which was held to be not maintainable by order dated 28.01.2022, however, liberty was given to the petitioner to take appropriate step by filing a fresh anticipatory bail application.

4. Learned counsel for the petitioner submits that in terms of the liberty granted by order dated 28.01.2022 in Cr. Misc. No. 72566 of 2021, the present anticipatory bail application has been filed. It is further submitted that a Coordinate Bench of this Court had already granted anticipatory bail but for the reason that the petitioner could not surrender in time he remained denuded of privilege of anticipatory bail.

5. Mr. Avinish Kumar Singh, learned counsel for the C.B.I. vehemently opposes the prayer for anticipatory bail of the petitioner and submits that this is the second anticipatory bail application of the petitioner. It is further submitted that petitioner cannot move this Court at its leisure and once the privilege of anticipatory bail was granted to the petitioner by a Coordinate Bench of this Court, the petitioner ought to have surrendered in time. It is next submitted that if the prayer for anticipatory bail of the petitioner is allowed that will give privilege to other accused persons like the petitioner to openly



defy the orders of this Court and then again to seek anticipatory bail.

6. Considering the submissions made by the learned counsel for the C.B.I., the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. Hence, the prayer for anticipatory bail of the petitioner is rejected in connection with CBI Case No. 04 of 2021 arising out of RC No. 17 of 2019 pending in the Court of learned Special Judge CBI-II, Patna.

(Satyavrat Verma, J)

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