

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48353 of 2022

Arising Out of PS. Case No.-135 Year-2020 Thana- BEUR District- Patna

CHANDAN KUMAR S/O SHAKTI PRAKASH VERMA Resident of Ganga
Vihar Colony, P.S.- Beur, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Nandan Prasad, Adv.
For the Opposite Party/s : Mr. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

8 15-03-2023 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

It appears from the record that earlier though the petitioner has moved before this Court for grant of anticipatory bail but a permission was sought on his behalf with regard to withdrawal of the application seeking anticipatory bail and accordingly, the same has been ordered to be withdrawn vide order dated 24.03.2022 passed in 20941 of 2021.

Now, surprisingly, again the petitioner has moved before this Court seeking anticipatory bail by way of a successive application.

Admittedly, the petitioner has not surrendered



before the court even after withdrawal of anticipatory bail application and he remained absconding till date being not available for the purpose of investigation.

In view of the aforesaid, this Court is of the view that the provision of Section 438 of the Cr.P.C. should not be put to an abuse at the instance of unscrupulous or ruthless accused-petitioner; therefore, the successive anticipatory bail application does not require to be entertained as being not maintainable.

Accordingly, this application seeking anticipatory bail to the petitioner is dismissed as not maintainable.

(Rajesh Kumar Verma, J)

brajesh/-

U		T	
---	--	---	--

