

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67339 of 2023

Arising Out of PS. Case No.-75 Year-2018 Thana- PAHARKATTA District- Kishanganj

MD. PRAWAJ JAFAR @ PRAWAJ ALAM @ PRAWAJ JAFAR SON OF
LATE MD. YUNUS ALAM @ LATE YUNUSMOLVI VILLAGE-
MALBASTI BHORATHANA, PS- PHARKATTA, DIST- KISHANGAJ

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Sinha

For the Opposite Party/s : Mr.Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 10-11-2023 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Paharkatta Police Station Case No. 75 of 2018, disclosing offences under Sections 341/323/325/307/379/506 of the Indian Penal Code.
3. The allegation against the petitioner is that the petitioner, along with other co-accused persons, assaulted the father of the informant by means of iron-rod, which caused fracture of the hands of the informant's father. This is the second attempt on behalf of the petitioner for grant of anticipatory bail. Earlier, the anticipatory bail application of the petitioner was dismissed, vide order,



dated 25.11.2019, passed in Criminal Misc. No. 58362 of 2019.

4. Almost four years of the dismissal of the first anticipatory bail application of the petitioner, the petitioner has again approached this Court for grant of anticipatory bail. While rejecting the anticipatory bail application of the petitioner on 25.11.2019, this Court had directed him to surrender before the Court below within a period of four weeks and seek regular bail, if so advised.
5. Learned Counsel for the petitioner submits that other co-accused persons have been granted anticipatory bail by a co-ordinate Bench of this Court.
6. Learned Counsel for the petitioner is trying to make submission on the merit of the case and again tried to re-argue the matter.
7. Taking into consideration the fact that the anticipatory bail application of the petitioner was rejected earlier on merit with observation to the petitioner to surrender before the Court below and seek regular bail and there is no new/fresh ground for consideration of this second application for grant of anticipatory bail inasmuch as subsequent grant of anticipatory bail to co-accused is not



a fresh ground for consideration of this second anticipatory bail application, this application is dismissed.

(Anil Kumar Sinha, J.)

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