

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17113 of 2024

Arising Out of PS. Case No.-58 Year-2022 Thana- GHOGHARDIHA District- Madhubani

Sonu Kumar Yadav @ Sonu Kumar Son of Jaybeer Yadav Resident of
Village- Keotana, P.S.- Ghoghardiha, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 13-08-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 363, 379, 504, 506 and 34 of the IPC in connection with Ghoghardiha P.S. Case No.58 of 2022.

3. From perusal of the impugned order, it manifest that petitioner had filed ABP No.612 of 2022 but the same was permitted to be withdrawn by an order dated 12.10.2023. Thereafter, again the petitioner filed ABP No.851 of 2023, as such the same was also rejected on the ground that earlier anticipatory bail application was dismissed on withdrawal and also considering that criminal antecedent of petitioner.

4. The learned APP submits that it appears that petitioner is a fence-sitter. The learned APP, Mr. Chandra



Bhushan Prasad next submits that petitioner had earlier filed ABP No.612 of 2022 which was permitted to be withdrawn by an order dated 12.10.2023, thereafter, it appears that some other accused persons had also filed ABP No.613 of 2022 and the same was allowed by an order dated 12.10.2023 passed by the learned ADJ-I, Jhanyharpur, as such the petitioner again took a chance by filing ABP No.851 of 2023 seeking anticipatory bail, which was his second anticipatory bail application.

5. The learned APP thus submits that when the petitioner had earlier withdrawn his anticipatory bail application I.e. ABP No.612 of 2022, the petitioner ought to have surrendered and sought regular bail.

6. The learned counsel appearing on behalf of the petitioner submits that ABP No.612 of 2022 was withdrawn by an order dated 12.10.2023 also considering the criminal antecedents of the petitioner, on which the learned APP submits that if what is being submitted by the learned counsel appearing on behalf of the petitioner is true, in that event, the petitioner ought to have moved before this Court seeking anticipatory bail on the ground that ABP No.612 of 2022 was permitted to be withdrawn considering his criminal antecedent, but then same was not done.



7. Considering the submissions made by the learned APP, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner, accordingly, the anticipatory bail application is rejected.

(Satyavrat Verma, J)

Prakash Narayan

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