

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19416 of 2024

Arising Out of PS. Case No.-185 Year-2022 Thana- NARPATGANJ District- Araria

Mir Sahid Son Of Mir Juber Resident Of Village - Rewahi, Ward No. 08, P.S.
- Narpatganj, District - Araria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kishore Bharti

For the Opposite Party/s : Mr. Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-03-2024 Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. The petitioner apprehends his arrest in Narpatganj Case No. 185 of 2022 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 379, 504, 506/34 of the Indian Penal Code, pending in the Court of learned C.J.M., Araria.

3. Earlier by order dated 06.12.2022 passed in Cr. Misc. No. 46994 of 2022, the petitioner has been granted anticipatory bail by this Court with the direction to learned Court below to verify the criminal antecedent of the petitioner. Now, he has renewed his prayer for anticipatory bail.

4. As per the prosecution case, the petitioner along with other co-accused persons is said to have assaulted the informant's family members.

5. Learned senior for the petitioner submits that petitioner is quite innocent and has committed no offence. No



such occurrence as alleged ever took place. He submits that there is case and counter case between the parties and both sides have sustained grievous injury. He further submits that there is admitted land dispute between the parties. The petitioner has two criminal antecedents as mentioned in para-3 of this application.

6. Per contra, learned APP for the State opposes the prayer for anticipatory bail.

7. In such view of the matter and considering the judgment of Hon'ble Apex Court in the case of *Ananda Babu vs. State of Tamil Nadu and Another* reported in *2021 SCC online SC 176*, whereby the Court has held that the second anticipatory bail application is not maintainable, I am not inclined to entertain his prayer once again.

8. The prayer for anticipatory bail of the petitioner is hereby rejected. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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