

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30062 of 2024

Arising Out of PS. Case No.-100 Year-2023 Thana- BIRPUR District- Supaul

1. DEV KUMAR PASWAN SON OF SHYAM SUNDAR PASWAN
RESIDENT OF VILLAGE - NIRMALI WARD NO.12, P.S. - BALUA
BAZAR, DISTRICT - SUPAUL
2. CHANDAN KUMAR @ CHANDAN KUMAR PASWAN SON OF DEV
KUMAR PASWAN RESIDENT OF VILLAGE - NIRMALI WARD NO.12,
P.S. - BALUA BAZAR, DISTRICT - SUPAUL
3. KUNDAN KUMAR @ KUNDAN KUMAR PASWAN SON OF DEV
KUMAR PASWAN RESIDENT OF VILLAGE - NIRMALI WARD NO.12,
P.S. - BALUA BAZAR, DISTRICT - SUPAUL
4. SANTOSH KUMAR @ SANTOSH PASWAN SON OF RAJDEV
PASWAN RESIDENT OF VILLAGE - NIRMALI WARD NO.12, P.S. -
BALUA BAZAR, DISTRICT - SUPAUL

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate
For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-05-2024 Heard learned counsel for the parties.

2. This is second anticipatory bail petition. Earlier, the petition, filed for grant of anticipatory bail on behalf of petitioners, stood dismissed as withdrawn , vide order dated 10.08.2023 passed in Cr. Misc. No. 45869 of 2023 .

3 . It is submitted on behalf of the petitioners that similarly situated co-accused persons namely Bindeshwar Paswan and Chandeshwar Paswan have already been granted bail subsequently by the co-ordinate bench of this Hon'ble



Court vide order dated 27.02.2024 in Cr. Misc. No. 63441 of 2023 .

4. However, learned counsel for the State opposes the bail and submits that subsequent bail of co-accused is no new ground and case of petitioners is not same and similar to that of co-accused persons.

5 . Considering the aforesaid facts and also the fact that case of petitioners is not in parity with other co-accused who have been granted bail subsequently by this Hon’ble Court, as such, the second anticipatory bail of the petitioners is not maintainable and also in view of the recent judgment of the Hon’ble Supreme Court in the case of ***G.R. Ananda Babu Vs. State of Tamil Nadu and Anrs*** reported in ***2021 SCC OnLine SC 176***, the second anticipatory bail on behalf of the petitioners is not maintainable. It is, accordingly, dismissed.

(Prabhat Kumar Singh, J)

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