

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30807 of 2024

Arising Out of PS. Case No.-120 Year-2018 Thana- AURANGABAD TOWN District-
Aurangabad

=====

Shankar Ram Son of Late Manik Chand Ram Resident of Mohalla Dani
Bigha, P.S.- Aurangabad Town, District- Aurangabad, at present Mohalla
Kurji Balupar, P.S.- Digha, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jubair Ansari @ Jubair Alam Son of Khurshid Alam Resident of village-
Karsanw, P.S.- Pesar, District- Aurangabad (Bihar).

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr.Shailesh Kumar Singh
For the State	:	Mr.Pawan Kumar Chaurasia

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- | | | |
|---|------------|--|
| 3 | 21-09-2024 | <ol style="list-style-type: none">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 Aurangabad Town Police Station Case No. 120 of
2018, dated 14.04.2018, disclosing offences punishable
under Sections 420/406/467/468/469/470/471/323/504/
506/120-B of the Indian Penal Code and Section 3 of the
Bihar Protection of Interest of Depositors Act, 2013.3. The prosecution case, as per the First Information Report,
is that the petitioner, along with other co-accused persons,
started a company, in the name and style of Indus Weir
Industries Limited, in which money was deposited by the |
|---|------------|--|



informant and other depositors under various schemes. It is alleged that after maturity, the matured amount has not been returned to the informant and other depositors and duped the said amount.

4. This is the second attempt on behalf of the petitioner for grant of anticipatory bail inasmuch as earlier anticipatory bail application of the petitioner was rejected by this Court, vide order, dated 11.03.2019, passed in Criminal Misc. No. 4551 of 2019.
5. Learned Counsel submits that the petitioner has moved this application for anticipatory bail for the second time on the basis of changed circumstances inasmuch as now, almost all the consumers of the company have received their money.
6. On the other hand, learned Additional Public Prosecutor vehemently opposes the prayer for anticipatory bail and submits that proclamation, under Section 82 of the Code of Criminal Procedure, 1973, has already been issued against the petitioner, as such, this anticipatory bail application is not maintainable.
7. Having regard to the submissions made on behalf of the parties and taking into consideration that at the first



instance the anticipatory bail application of the petitioner was rejected on its own merit, there is no fresh ground for filing this second anticipatory bail application, that too after issuance of processes under Section 82-83 of the Code of Criminal Procedure, 1973, and the petitioner wants to re-argue the matter on merit which is not permissible, this anticipatory bail application is not maintainable.

8. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---

