

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84335 of 2023

Arising Out of PS. Case No.-41 Year-2018 Thana- TISIAUTA District- Vaishali

1. Shail Devi Wife of Kamal Kishore Sah @ Munna Sah R/o vill - Tisiauta, P.S. - Tisiauta, Distt. - Vaishali
2. Mamta Devi Wife of Shiv Nath Sah R/o vill - Tisiauta, P.S. - Tisiauta, Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Binod Kumar, Adv.
		Mr. Alok Kumar Alok, Adv.
For the Opposite Party/s	:	Mr. Anant Kumar 1, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-01-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Tisiauta
P.S. Case No. 41 of 2018, registered for the offence punishable
u/s 302, 201/34 of the I.P.C.

3. Earlier, vide order dated 05.08.2019 passed in Cr. Misc.
No. 30712 of 2019, the bail application of the petitioner was
rejected by a co-ordinate Bench of this Court.

4. The petitioner has now filed this second application for
bail.

5. Having gone through the submissions of the parties and
on perusal of the recent decision of the Supreme Court in the



case of **G.R. Ananda Babu vs. State of Tamil Nadu and Another reported in 2021 SCC Online SC 176**, I find that there is no bar to file a second anticipatory bail application in the criminal proceedings, as such, the prayer for bail is rejected.

6. Accordingly, the instant bail application is not maintainable. It is accordingly, dismissed.

7. However, if the petitioner surrenders before the learned court below within six weeks from today and seek regular bail, the learned Court below shall pass order on the same day in accordance with law without being prejudiced by this order. Considering the fact that there is compromise between the parties and petitioner is female.

(Anjani Kumar Sharan, J)

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