

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80158 of 2025

Arising Out of PS. Case No.-266 Year-2022 Thana- GAYA MUFASIL District- Gaya

Pawan Kumar Gupta @ Pawan Kumar Son of Shri Shiv Shankar Shaw
Resident of Village - Masouha, P.S.- Nardiganj, District - Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lalita Kumari Daughter of Pramod Prasad R/o Mohalla - Manpur, Teli Tola,
P.S.- Mufassil, District - Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Divya Singhvi Mr. Rajesh Kumar
For the State	:	Mr. Asha Kumari

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

6 06-02-2026 Heard Ms. Divya Singhvi through virtual mode on
behalf of the petitioner assisted by the local counsel Mr. Rajesh
Kumar in presence of the learned APP for the State.

2. The present application for anticipatory bail has been renewed on behalf of the petitioner by making the submission that there are good grounds to consider the present anticipatory bail application. The earlier order dated 30.06.2025 would reveal that after some arguments, the learned counsel for the petitioner had prayed for withdrawal of the present anticipatory bail application and as such, the permission was granted and the application was dismissed as withdrawn giving the petitioner the liberty that if he surrenders within a period of three weeks and seeks regular bail before the learned court



concerned, the same would be considered on its own merit and preferably also on the same day without any prejudice.

3. Taking into consideration the said order which was passed on 30.06.2025 after hearing some arguments, this Court finds no reason to take a different view in the matter since the fresh ground, as has been stated in the petition, relates to completion of investigation and filing of charge-sheet whereafter cognizance was taken on 01.02.2025. A reference has also been made to a marriage agreement prepared on 08.06.2019. Both the grounds which have been taken as a fresh ground were available even at the time when the anticipatory bail application of the petitioner was being considered. The law is well settled that there is no bar on consideration of a second anticipatory bail application in case there is a major change in the fact situation or some fresh ground worth consideration is urged.

4. This Court finds that the fresh grounds taken by way of the petition do not relate to any change in the fact situation of the case and they can hardly be treated as a fresh ground for re-consideration of the application for anticipatory bail when the same was consciously withdrawn after some arguments by the learned counsel for the petitioner.



5. In such view of the mater, the present application
stands dismissed.

(Soni Shrivastava, J)

devendra/-

U		T	
---	--	---	--

