

**IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 9557 of 2021**

Shahsi Prakash ... Petitioner
Versus
The State of Jharkhand ... Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mrs. Ritu Kumar, Advocate
: Mr. Ravi Kumar Singh, Advocate
For the State : Mr. P.D. Agrawal, Spl. P.P.

Order No.02 Dated- 23.12.2021

Heard the parties.

Learned counsel for the petitioner personally undertakes to remove the defects as pointed out by the stamp reporter within two weeks.

In view of the personal undertaking of the learned counsel for the petitioner, the defects pointed out by the stamp reporter are ignored for the present.

Apprehending his arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with Lower Bazar P.S. Case No.119 of 2013 registered under sections 406/420/467/468/471/323/34 of the Indian Penal Code.

The Learned counsel for the petitioner submits that the prayer for bail of the petitioner was earlier rejected vide order dated 28.10.2021, in A.B.A. No. 8099 of 2021 by this Court. It is further submitted that allegation against the petitioner are all false and the fresh ground is that some points could not be agitated at the time of hearing of the earlier anticipatory bail application. Hence, it is submitted that the petitioner be given the privilege of anticipatory bail.

Learned Spl. P.P. on the other hand vehemently opposes the prayer for grant of anticipatory bail and submits that since the prayer for anticipatory bail of the petitioner has already been rejected earlier vide order dated 28.10.2021, in A.B.A. No. 8099 of 2021, in the absence of any fresh ground, if anticipatory bail is

granted to the petitioner, the same will amount to review of the earlier rejection order of the anticipatory bail application of the same petitioner; which is not permissible in law. It is further submitted that though the prayer for grant of privilege of anticipatory bail of the petitioner were earlier rejected vide order dated 28.10.2021, in A.B.A. No. 8099 of 2021 still, he is avoiding his arrest and the custodial interrogation of the petitioner is highly essential to find out the further details of the case. Hence, it is submitted that the petitioner ought not to be given the privilege of anticipatory bail.

Considering the serious nature of allegation and the facts of the case, this Court is of the considered view that this is not a fit case where the above named petitioner be given the privilege of anticipatory bail. Accordingly, the prayer for grant of privilege of anticipatory bail of the petitioner is rejected for the same reasons as mentioned in the vide order dated 28.10.2021, in A.B.A. No. 8099 of 2021.

(Anil Kumar Choudhary, J.)

Sonu/Gunjan-