

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 40374 of 2020

Arising Out of PS. Case No.-248 Year-2018 Thana- NAGAR District- Vaishali

RAJA KUMAR @ RAJA SAH Son of Lalbabu @ Lalbabu Sah Resident of
Village- Pokhara, P.S.- Hajipur Town in the Distt- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 28-10-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with Hajipur Town P.S. Case No. 248 of 2018 registered for the offense punishable under Sections 341/323/324/307/504/354/379/34 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation against the petitioner and other accused persons is that they used to indulge in business of selling *Charas* and *Ganja* near the house of the informant and when it was objected by the informant, the accused persons including this petitioner, came there and assaulted him.

Learned Advocate for the petitioner submits that there is general and omnibus allegation of assault against the petitioner and co-accused Banty Kumar has already been



granted anticipatory bail by a co-ordinate Bench of this Court.

In the facts and circumstances of the case, this is not a fit case for grant of anticipatory bail. The prayer for grant of anticipatory bail is rejected.

Though the F.I.R. was lodged 14.04.2018, but till date, the petitioner has not been arrested though there is no interim protection granted to the petitioner either by the Court below or by this Court.

The petitioner is directed to surrender in the Court below by 2nd of November, 2021.

If the petitioner does not surrender by the aforesaid date, then the Superintendent of Police, Vaishali, is directed to arrest him and produce him in the Court below.

The Superintendent of Police, Vaishali, is also directed to issue show-cause to the Investigation Officer of the case as to why, till date, the petitioner was not arrested in the case of such a serious nature.

A copy of this order be communicated to the Superintendent of Police, Vaishali, through Fax forthwith.

(Sandeep Kumar, J)

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