

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18077 of 2021

Arising Out of PS. Case No.-65 Year-2017 Thana- SAMASTIPUR District- Samastipur

RAJEEV RANJAN SINGH @ RAJU SHARMA Son of Late Birendra Prasad Singh Resident of Mohalla- Professor Colony, Gali No.1 Ward No.8, Tajpur Road, P.s.- Samastipur Town, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raja Ram Mishra

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 21-01-2022 The learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard the learned counsel for the petitioner and learned APP for the State through video conferencing.

The petitioner apprehends his arrest for the offences alleged under Sections 147, 353, 504 and 506 of the Indian Penal Code, registered in connection with Samastipur Town P.S.Case No. 65 of 2017.

The informant, A.S.I. Kumar Pramod lodged this case in the year 2017 that when the police party was conducting search, the son of he present petitioner was going by a motor-cycle. The police party demanded papers and driving licence.



Thereafter, he threatened that his father (present petitioner) is a ward *parishad* and had he called him, his father would give lesson to the police party. Thereafter, he called his father(the petitioner) through mobile phone. The petitioner reached there with 20-25 persons and forcibly took away the motor-cycle and his son. It has also been alleged that on earlier occasion also the petitioner has misbehaved with the police personnel and created hindrance in discharge of their official duty.

The learned counsel for the petitioner has submitted that earlier the anticipatory bail petition of the petitioner was rejected in the year 2017, vide order dated 19.09.2017, passed by a coordinate Bench of this Court in Cr.Misc. No. 36764 of 2017. He has submitted that, while rejecting his bail petition, the Hon'ble coordinate Bench has mentioned the criminal antecedents of one case against the petitioner in which he has been acquitted.

It appears that the petitioner was acquitted in the above-mentioned case vide judgment dated 4th of August, 2010 and his anticipatory bail petition was rejected in the year 2017. So, this submission does not appear creditworthy that this fact remained unnoticed by the Hon'ble coordinate Bench. It is surprising that this Court has rejected the anticipatory bail



petition of the petitioner in the year 2017 and he, instead of surrendering before the court below, filed a second anticipatory bail petition before this Court after four years.

Considering the these facts and circumstances, the petition for anticipatory bail of the petitioner is hereby **rejected**. **At the same time, the Superintendent of Police, Samastipur is directed to furnish a report within three weeks as to why the petitioner has not been arrested within four years and even up-till now when the prayer for anticipatory bail of the petitioner has been rejected four years ago.**

List the matter after four weeks.

(Nawneet Kumar Pandey, J)

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