

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20634 of 2022

In
CRIMINAL MISCELLANEOUS No.27455 of 2015

Arising Out of PS. Case No.-270 Year-2014 Thana- PIPRA District- East Champaran

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RAGHUNATH SAH @ RAGHUNATH PRASAD S/o Late Chirkut Sah
Resident of Village- Khairimal, P.S.- Pipara, District- East Champaran at
Motihari.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binay Kumar

For the Opposite Party/s : Mr.Tapeshwar Sharma

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CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY

ORAL ORDER

2 01-07-2022 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 as well

as the learned APP for the State through video conferencing.

Vide order dated 27.10.2015, passed in Cr.Misc.
No.27455 of 2015, a coordinate Bench of this Court, though did
not grant anticipatory bail to the petitioner, but in view of the
fact that another co-accused had been granted anticipatory bail ,
the coordinate Bench directed the petitioner to surrender within
a period of four weeks. It was also observed by the coordinate
Bench that in case the petitioner does so, it will be open to the



court below to consider the case on its own merit without being prejudiced by the order of the coordinate Bench.

The petitioner did not comply with the order of this Court dated 27.10.2015 and after near about seven years a prayer has been made to extend the time for his surrender, without assigning any cogent reason. Due to apathy and reluctance of the petitioner, the trial of the case hampered for a considerable long duration and, as such, it is not possible for this Court to extend the time for surrender.

The petition is accordingly rejected.

Let a report be called for from the court below in respect of steps taken by the court below to procure the appearance of the petitioner.

List the matter after for weeks.

Office shall ensure that all the defects are removed by the petitioners within the stipulated time provided in para 1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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