

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37737 of 2021

Arising Out of PS. Case No.-169 Year-2019 Thana- KARAI PARSURAI District- Nalanda

1. Ganesh Paswan, S/O Rajbalav Paswan Resident Of Panchayat Raj Makhdumpur, Ward Member 14, P.S.- Karai Parsurai, Ward No. 14, District- Nalanda
2. Ravi Kumar, S/O Bhagwan Sharma Ward Sachiv, Ward Member - 14, Resident Of Panchayat Raj Makhdumpur, P.S.- Karai Parsurai, Ward No. 14, District- Nalanda

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhoy Kumar Kashyap
For the Opposite Party/s : Mr. Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 22-06-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in anticipation of their arrest
in a case registered for the offences punishable under Sections
420, 406 and 120B/ 34 of the Indian Penal Code.

The learned counsel for the petitioners submits that
the petitioners are persons with clean antecedent.

The learned Additional Public Prosecutor draws the
attention of the Court to order dated 11.01.2022 to submit that
the Court had specifically directed the petitioner to appear
before the I.O. on 03.02.2022 for interrogation and the case was
directed to be listed on 14.02.2022 and it was also directed that



the petitioner shall not be arrested. Thereafter, the case was taken up on 14.02.2022, when this Court directed the Investigating Officer to remain present in the court on the next date and the date was fixed as 22.02.2022.

The learned Additional Public Prosecutor submits that after 14.02.2022, the case was not listed on 22.02.2022, though the Investigating Officer was present in compliance of the order dated 14.02.2022.

Today when the matter is taken up, the Investigating Officer Sri Arun Kumar, A.S.I. is present. The learned A.P.P. submits that the petitioner in terms of the order dated 11.01.2022 did not appear before the I.O. for interrogation. Though there was a specific direction by the Court with regard to the same. The I.O. has also personally submitted that the petitioners in compliance of the order dated 11.01.2022 did not appear before him, nor appeared before him at any point of time and since there is a stay operating in his favour, as such, he has not been arrested.

The learned counsel for the petitioners is not in a position to rebut the submission made by the learned A.P.P. and specific statement made by the Investigating Officer of the case.

Considering the fact that the petitioners have blatantly



violated the direction of the Court by not appearing before the I.O. of the case for interrogation, the Court does not feel persuaded to entertain the present anticipatory bail application of the petitioners.

Accordingly, the prayer for anticipatory bail of the petitioners stand rejected.

The appearance of the Investigating Officer is hereby dispensed with.

(Satyavrat Verma, J)

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