

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52424 of 2022

Arising Out of PS. Case No.-121 Year-2018 Thana- WARISLIGANJ District- Nawada

1. Anjani Singh @ Anjani Kumar Son of Sri Umesh Singh @ Umesh Prasad Singh R/V- Kutari, Post- Naromurar, P.S- Warisaliganj, Dist- Nawada
2. Pankaj Pathak Son of Ravindra Pathak R/V- Kutari, Post- Naromurar, P.S- Warisaliganj, Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Chakrapani, Advocate
For the Opposite Party/s	:	Mr.Narendra Kumar Singh, APP
For the informant	:	Mr. Deepak Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 17-01-2023 Heard Mr. Chakrapani, learned counsel for the petitioner, Mr. Narendra Kumar Singh, the State as also Mr. Deepak Kumar, learned counsel for the informant.

The petitioners are apprehending arrest in connection with Warsaliganj P.S. Case No. 121 of 2018 under sections 166, 201, 420, 467, 468, 471 and 120(B) of the Indian Penal Code.

As per the FIR, the informant has alleged that in connection with Warsaliganj P.S. Case No. 181 of 2015, the Doctors concerned at Primary Health Centre, Kashichak as well as Sadar Hospital, Nawada gave a false medical report for the benefit of the accused of that case and subsequently, other report after examination of the informant found the same to be wrong



and accordingly the present FIR.

Learned counsel for the petitioner submits that so far as Warshaliganj P.S. Case No. 181 of 2015 is concerned, they are on bail. Regarding the present case, learned counsel for the petitioner submits that they cannot be held responsible for any report that has been submitted by the Doctors concerned. As such, he has prayed for grant of relief.

Learned counsel for the informant on the other hand submits that in Warshaliganj P.S. Case No. 181 of 2015, the informant had suffered multiple injuries that was completely changed by the concerned FIR named Doctors and the petitioners were the direct beneficiary of it.

The further submission is that the matter is of 2018, they have now approached the Court and in the backdrop of the fact that both have multiple criminal antecedents, they do not deserve the benefit of anticipatory bail.

Learned counsel further submits that so far as 2015 FIR is concerned, the same was lodged by his brother Amrendra Kumar who in fact alleged that it was he who was given the injuries by the accused persons and that can falsify the entire case.

Taking into account the aforesaid fact that the



matter is of 2018 and the petitioners have criminal antecedents, this Court does not deem it fit to extend them the benefit of anticipatory bail which is accordingly rejected.

However, if the petitioners surrender before the concerned Court and file bail petition along with all the relevant documents including the 2015 FIR copy as also the reason for delaying the process of taking recourse to legal remedy, the concerned Court shall take up the matter and dispose of it expeditiously, preferably the same day without being prejudiced by any of the observation made herein.

(Rajiv Roy, J)

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