

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56615 of 2022

Arising Out of PS. Case No.-47 Year-2014 Thana- DAGARUA District- Purnia

1. MD. JAMSHED @ JAMSHID Son of Kafil @ Md. Kalil Resident of Maheshkhunt, P.S. - Dagarua, District - Purnea.
2. Aslam @ Islam @ Md. Aslam Son of Md. Rafiq Resident of Maheshkhunt, P.S. - Dagarua, District - Purnea.
3. Md. Kafil @ Kafil Son of Late Akbar Resident of Maheshkhunt, P.S. - Dagarua, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Fazle Karim, Advocate
For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 30-01-2023 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in connection with Dagarua P.S. Case No. 47 of 2014 for the offence registered under Sections 341, 323, 436, 504 and 34 of the Indian Penal Code.

As per the prosecution story, as the informant was sitting with the family members, the petitioners and other accused persons started abusing the informant and when the informant protested, they assaulted with sticks and further put his house on fire. Further, they also assaulted his wife and cousin. Accordingly, the FIR has been lodged.



A perusal of Annexure-1 series will show that earlier Criminal Miscellaneous No. 10291 of 2015 was rejected by a Bench of this Court on 28.05.2015 (Hon'ble Mr. Justice Kishore Kumar Mandal, as his Lordship then was).

The petitioners thereafter instead of surrendering, once again chose to file Criminal Miscellaneous No. 1898 of 2016 which went before the same Bench and was once again rejected on 27.01.2016.

Thereafter, the petitioners waited for 7 years and now it has come before this Court.

Considering the kind of attitude that the petitioners have in successively approaching this Court and then sitting over the matter for almost half a decade, no relief can be granted to them and the petition accordingly, stands rejected.

Further for the said misuse of the privilege of anticipatory bail, a cost of Rs. 10,000/- is imposed upon them to be paid to the Patna High Court, Legal Services Committee within a period of four weeks from today.

(Rajiv Roy, J)

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