

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21125 of 2024

Arising Out of PS. Case No.-35 Year-2011 Thana- PIPRIYA District- Lakhisarai

1. Deepak Kumar @ Deepak Kumar Singh Son of Ram Bilash Singh Resident of vill.-Sihma, P.S.-Matihani, Distt.-Begusarai
2. Mukesh Singh @ Mukesh Kumar Son of Ram Bilash Singh Resident of vill.-Sihma, P.S.-Matihani, Distt.-Begusarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Miss. Suruchi Anand, Advocate Mr, Nidhi Anand, Advocate Mr. Balwant Kumar Singh, Advocate
For the Opposite Party/s	:	Mr.Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 03-05-2024 Heard Miss. Suruchi Anand, learned counsel for the petitioner and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Pipariya P.S. Case No. 35 of 2011 registered under Sections 147, 148, 149, 307 and 427 of the Indian Penal Code and Section 27 of the Arms Act lodged on 20.12.2011 by the informant, Manoj Kumar Sinha.

3. The prosecution story, in brief is that on 19.12.2011, the informant received secret information that due to land dispute, firing took place between two groups. It was further alleged that on the said information, the police reached there and came to know about the indiscriminate firing between



village Jhagraha and Sihwa. Accordingly, the FIR.

4. From a bare persual of the FIR, it would show that the same was lodged on 2011 vide Pipariya Case NO. 35 of 2011 under Sections 147, 148, 149, 307 and 427 of the Indian Penal Code.

5. Earlier the two petitioners had moved this Court in Cr. Misc. No. 61989 of 2022 which was rejected on 22.05.2023 by a reasoned order and the Court would like to put on record the observation:

“After 12 years, the petitioners chose to leisurely walk to the Court for grant of relief. If they have managed to evade the rule of law for last 12 years, this Court will be the last one to extend them the relief they have asked for. The petition is accordingly dismissed.

6. Instead of surrendering before the Court concerned, the fresh anticipatory bail application.

7. Miss Anand, learned counsel for the petitioners submit that the second anticipatory bail application has been preferred as after long delay, charge sheet has been submitted in the matter on 27.05.2023.

8. Learned APP for the State, on the other hand, points out that the FIR is of the year 2011, the two petitioners evaded



arrest for 12 years, leisurely came to this Court got rejection order earlier and instead of surrendering, again preferred the petition. He further points out that they have criminal antecedent *inasmuch* as three cases each are under their belts.

9. Taking into account the aforesaid facts as also that the FIR is of 2011, the anticipatory bail application of the two petitioners stand rejected a year ago, instead of abiding the law, chose to prefer the present petition, the same is rejected.

10. The Superintendent of Police, Begusarai shall submit a report how the two accused against whom the FIR has been lodged in the year 2011 and are also having criminal antecedents under their respective belts beside the fact that charge sheet also stands submitted, have chosen to evade the arrest for 13 long years as the Court believes that the police have chosen to look the other way.

11. The report of Superintendent of Police, Begusarai to come in sealed cover in next eight weeks.

12. List this case on 28.06.2024 under the heading ‘To be Mentioned.’”

(Rajiv Roy, J)

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