

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32049 of 2024

Arising Out of PS. Case No.-311 Year-2022 Thana- BHANGWANPUR HAT District- Siwan

Kundan Kumar S/o Laxman Ray @ Lachhman Ray R/o vill - Mahamadpur,
P.S. - Bhagwanpur Hat, Distt. - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Kumar Singh, Adv.
For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 18-10-2024 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Bhagwanpur Hat P.S. Case No. 311 of 2022 for the offence under Sections 341, 323, 324, 302, 379, 504, 506 and 34 of the Indian Penal Code lodged on 28.11.2022 by the informant, Suraj Kumar.

3. As per the prosecution story, the allegation is that the petitioner and informant are agnates and on the date when the informant and his father were coming from the market after taking money, the accused persons armed variously after abusing, assaulted his father. The allegation against the petitioner is of giving '*fists*' and '*kicks*' whereas after they caught hold of his father, Baliram Ray gave '*knife*' blow causing injury in his stomach and they fled away with Rs. 30,000/-. The



father of the informant rushed to the P.M.C.H. where he died on the next day. Accordingly, the F.I.R.

4. Learned counsel for the petitioner submits that the similarly situated person, Laxman Ray has been granted bail by this Court vide order dated 04.09.2023 passed in Cr. Misc. No. 35991 of 2023.

5. Learned APP for the State opposes the prayer and points out that the co-accused remained in custody for almost nine months, whereas in the present case, the petitioner chose not to file any anticipatory bail petition till April 2024 despite the fact that the occurrence is of 25.11.2022.

6. Considering the delayed approaching the Court despite he being named in the F.I.R., no relief can be granted to the petitioner which is accordingly rejected.

7. If the petitioner surrenders within four weeks from today, the Court concerned shall take up the matter and pass an appropriate order preferably on the same day.

(Rajiv Roy, J.)

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