

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74309 of 2023

Arising Out of PS. Case No.-85 Year-2013 Thana- DHAMDHAHA District- Purnia

ANIRUDH SHARMA son of Mangali Sharma Village- Belapemu Ps-
Raghuwansh Nagar Po- Damdaha Dist- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 05-03-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Damdaha P.S. Case No. 85 of 2013 for the offence registered under sections 120B, 420, 467 and 468 of the Indian Penal Code lodged on 08.05.2013 by the informant, Thakur Rameshwar Singh.

3. As per the prosecution story, the complainant alleged that he is posted in Bihar Agriculture Service and busy with the job and as such asked his cousin brother to take care of the land. However, in 1988 the cousin, Amir Singh was murdered whereafter the land was being cultivated by the local people on cash contract and the absence of the complainant from the place emboldened the accused persons who started selling the land and in the process between the year 2003-2012, it was transferred to other accused persons including the petitioner. Accordingly, the complaint.

4. As per the learned Counsel for the petitioner, he is



the purchaser and as such, cannot be dragged in the case having found the documents which were shown to be valid document made investment for which he has been implicated.

5. Mr. Jitendra Kumar Singh, learned APP for the State, on the other hand, has pointed out that the complaint/FIR is of the year 2013 and ten years later, the petitioner has chosen to take the judicial remedy and the ground of delay of ten years is sufficient to deny him privilege of anticipatory bail.

6. This Court finds force in the submissions put forward by the learned APP, the promptness in filing anticipatory bail application is an essential ingredient for an accused who apprehends his/her arrest. Any accused cannot choose a time, date and year of his/her own and seek relief of anticipatory bail accordingly.

7. It would be appropriate that the petitioner surrender and seeks bail as already delay has happened.

8. Cr. Misc. No. 74309 of 2023 stands rejected.

(Rajiv Roy, J)

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