

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77686 of 2023

Arising Out of PS. Case No.-160 Year-2014 Thana- EKMA District- Saran

Pradeep Kumar Singh @ Pradeep Kumar, Son of Bachha Singh, Resident of
Manikpur, P.S. - Ekma, District - Saran At Chhapra

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Rananjay Kumar, Advocate
For the State	:	Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 10-01-2024 Heard learned counsel for the petitioner and Mr.
Shyameshwar Dayal, learned APP for the state.

2. The petitioner in this case is seeking pre-arrest bail in connection with Ekma P.S. Case No. 160 of 2014 registered for the offences punishable under Sections 341, 323, 447, 324, 307, 504, 379 and 34 of the Indian Penal Code. He has one criminal antecedent.

3. As per the prosecution story, on 03.11.2014 at around 07:00 A.M. when the informant was keeping bricks on his land, his younger brother Bacha Singh came there and stopped him from doing so. When the informant raised objection, Bacha Singh started abusing him and an altercation took place between both of them. The informant's son Ravindra Kumar came there to rescue him but he was also assaulted with daab and his left hand finger was cut.



4. From the materials available on the record, it would appear that this petitioner had earlier moved for anticipatory bail in Cr. Misc. No. 47568 of 2015 which was heard and dismissed by this Court in respect of petitioner no. 2 (this petitioner) vide order dated 30.10.2015.

5. Despite rejection of the prayer for anticipatory bail of the petitioner no. 2 in Cr. Misc. No. 47568 of 2015, the same and one petitioner has filed the present case after eight years.

6. When this Court called upon learned counsel for the petitioner to say as to what is the change of circumstance and why the petitioner did not submit himself to the jurisdiction of the Court for these eight years, the only answer which came is that there is no change of circumstance and this case has been filed by another lawyer who is his colleague.

7. Having regard to the fact that the petitioner has not submitted himself to the jurisdiction of the Court for eight years since 30.10.2015 and there being no change of circumstance, the present case has been filed, this Court is of the considered opinion that it is a frivolous kind of case and filing of it has resulted in wastage of the time of the Court.

8. This Court, therefore, while dismissing this application would impose a cost of Rs.10,000/- upon the



petitioner. The cost shall be deposited with the Patna High Court Legal Services Committee within four weeks from today, failing which it will be realized through the process of Court.

9. In case, the petitioner does not surrender within a period of four weeks from today in the learned court below, the learned court below shall take appropriate steps in accordance with law to secure the presence of the petitioner.

10. This application stands dismissed.

(Rajeev Ranjan Prasad, J)

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