

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82034 of 2024

In
CRIMINAL MISCELLANEOUS No.12730 of 2016

Arising Out of PS. Case No.-50 Year-2015 Thana- SALIMPUR District- Patna

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Sanjay Singh @ Sanjay Kumar S/O Harendra Singh R/O Village- Sammatpur,
Police Station- Salimpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Nirmala Kumari

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 13-05-2025 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Salimpur P.S. Case No.50 of 2015 registered for the offences punishable under Sections 323, 324, 307, 379 and 34 of the Indian Penal Code

3. As per prosecution case, petitioner and other abused and assaulted the informant. It is alleged that petitioner assaulted upon the head of the informant by means of *kudal* (spade) as a result of which she sustained injury upon the head and fell down. It is further alleged that when informant's sister came to rescue her, she was also assaulted by petitioner and other. It is further alleged that petitioner took away Rs. 20,000/-



from the pocket of the informant's brother.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. Petitioner bears no criminal antecedent. Learned counsel has submitted that anticipatory bail of the present petitioner has already been rejected by the co-ordinate Bench of this Court vide Cr.Misc. No. 12730 of 2016 dated 05.04.2016 where direction has been given to petitioner to surrender and seek regular bail. If he does so, the same shall be considered on its own merit in accordance with law. Despite being direction given on 05.04.2016, petitioner has approached this Court in 2024 to seek anticipatory bail as petitioner is a poor fellow and he is unable to know the complexity of the law.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner as the petitioner's anticipatory bail prayer has already been rejected on 05.04.2016 on merit and there was specific direction for surrender and to seek regular bail but petitioner has not complied the said order.

6. Considering the facts and circumstances of the case, argument advance on behalf of both sides, the occurrence is of 2015 and petitioner's prayer for anticipatory bail has



already been rejected on merit in 2016 despite being direction he has not surrender before the court and now again he has approached this Court, I am not inclined to grant privilege of anticipatory bail to petitioner. Accordingly, the prayer for anticipatory bail of the petitioner, is hereby, rejected.

7. However, in case petitioner surrenders before the concerned court within six weeks from the date of receipt of the order and seeks regular bail, the concerned court may pass an appropriate order on the day of hearing without being prejudiced by the order of this Court.

(Alok Kumar Pandey, J)

vashudha/-

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