

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52593 of 2026

Arising Out of PS. Case No.-75 Year-2000 Thana- Kinjar District- Arwal

Rameshwar Singh S/O Late Moti Singh R/O Village- Paiyari, PS- Kinjar,
District- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Pd. Singh, Sr. Adv
		Mr. Rakesh Singh, Adv
For the Opposite Party/s	:	Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 29-07-2026 Heard the learned Senior counsel for the petitioner
and the learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Kinjar P.S. Case No. 75 of 2000, instituted under Sections
302/34, 147, 148, 149 of I.P.C. & Section 27 of the Arms Act.

3. As per the prosecution story, which has been lodged
on the basis of the written report submitted by the informant to
the effect that on 17.09.2000, while he had gone for shopping in
the market, co-accused Jitendra Kumar was also present for
shopping. It has been alleged that in the meantime all the named
accused persons, including the petitioner came there armed with
lethal weapons and started moving in the market. The petitioner
ordered to assault and thereupon all the accused persons started
indiscriminate firing upon Jitendra Kumar, which hit Jitendra



Kumar and he died on account of said firing.

4. The learned Senior counsel for the petitioner submits that altogether nine persons have been made an accused in the present FIR, however after investigation the police submitted final form against the petitioner on 13.05.2002. The learned concerned Court vide order dated 16.07.2002, while differing with final form submitted by the police, took cognizance against the petitioner under Section 302/34, 147, 148 and 149 of the I.P.C. The cognizance was taken in the year 2002, however it is the case of the petitioner that he was not aware about the cognizance taken against him and he came to know about the present case, only after issuance of processes under Section 83 of the Cr.P.C. on 19.10.2024. The learned Senior counsel for the petitioner further submits that he filed a petition for quashing the order issuing processes under Section 82 and 83 of the Cr.P.C. before this Hon'ble Court vide Cr. Misc. No. 39781 of 2025 and by order dated 17.03.2026 passed by Hon'ble Single Judge of this Court, further proceeding with regard to the petitioner in the concerned Court has been stayed. He further submits that the petitioner has got a clean antecedent.

5. *Per contra*, the learned APP appearing on behalf of the State opposes the prayer for bail of the petitioner and



submits that the petitioner was named accused in the FIR and although the concerned Court, while differing with the final form submitted by the police, took cognizance against the petitioner on 16.07.2002, however he remained absconder for the last 24 years.

6. Having considered and rival submissions and after going through the record, it appears that the FIR was lodged on 17.09.2000. Final form was submitted against the petitioner on 13.05.2002 and the learned Magistrate, while differing with the final form submitted by the police, took cognizance for offences under Section 302/34 and other allied Sections of the Indian Penal Code vide his order dated 16.07.2002. The petitioner remained absconder for 22 years and finally processes under Section 83 of the Cr.P.C. have been issued against him in 2024. He has filed the present Anticipatory Bail Petition in 2026. Considering that the petitioner was named in the FIR and from the impugned order passed by the learned Additional Sessions Judge-II, Arwal at Jehanabad on 09.05.2025, it transpires that witnesses have supported the case of the informant and have named the petitioner during course of investigation, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner.



7. Accordingly the prayer for anticipatory bail of the
petitioner is hereby rejected.

(Ritesh Kumar, J)

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