IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78369 of 2026

CNR No. BRHC011112442026

Arising Out of PS. Case No.-71 Year-2017 Thana- FATEHPUR District- Gaya

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Rahul Kumar Son of Anuj Singh Resident of Village- Pakri, P.S.- Fatehpur, District- Gaya Ji.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Priya Ranjan, Adv.
For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 25-11-2026 Heard Mr. Priya Ranjan, learned counsel for the petitioner and the State.

2. The petitioner apprehends his arrest in connection with Fatehpur P.S. Case No. 71 of 2017 for the offence registered under sections 147, 149, 325, 341, 323, 308, 354, 504 and 379 of the Indian Penal Code lodged on 13.03.2017 by the informant, Golu Singh.

3. As per the prosecution story (lodged in the year 2017), the informant alleged that in the evening, when he was visiting his maternal grandfather, the named accused persons came and assaulted causing fracture to his father, head injury to his brother and fracture to his maternal brother. As the locals came to rescue, they managed to escape but not before looting the jewellery/cash. This led to the FIR.

4. Learned counsel for the petitioner submits that a

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perusal of the FIR would show that exaggeration has been made of taking away money/ornaments, minor scuffle has been given a different colour. Further, he was in custody between 2020 to 2025 and as such, there is a delay.

5. Learned APP on the other hand opposes the prayer submitting that not only he has six criminal antecedents under his belt, this include murder case charges, the fact remains that the FIR is of the year 2017 and according to him, he went to the judicial custody in the year 2020. No reason has been assigned why he failed to approach the Court between these three years.

6. Considering the submissions aforesaid as also the allegation besides the criminal antecedent and the inordinate delay in knocking the doors of the Court, no relief can be extended.

7. The anticipatory bail application stands rejected.

8. However, if the petitioner surrenders within four weeks from today, the Court concerned shall take up the matter and dispose it of preferably on the same day.

(Rajiv Roy, J)

Vijay Singh/-

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