

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29322 of 2019**

Arising Out of PS. Case No.-455 Year-2017 Thana- GARKHA District-
Saran

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BHISHAM RAI @ BHISHAM KUMAR RAI, aged about 21 years, male, Son
of Nandlal Rai Resident of Village - Tahal Tola, P.S.- Garkha, Dist.- Saran.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Krishna Kant Singh, Advocate.

For the Opposite Party: Mr. Ajay Kumar-I, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 03-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 147, 148, 149, 341, 323, 324, 307, 379,
504 of the Indian Penal Code and later on Section 302 IPC was
added registered in connection with Garkha P.S. Case No. 455 of
2017.

3. It is submitted that the petitioner has been falsely
implicated in the backdrop of land dispute and there is case and
counter case between the parties. Learned counsel for the
petitioner submits on instruction that the post mortem report
discloses only one injury and as such the accusation of assault by
the petitioner along with other co- accused persons is not
supported. The petitioner claims clean antecedents.



4. Having regard to the nature of accusations, gravity of the offence alleged as well as direct accusation of assault upon the deceased by the petitioner, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. The anticipatory bail petition stands dismissed.

5. If the petitioner surrenders and seeks regular bail before the learned Court below the same shall be considered on its own merit in accordance with law, without being prejudiced by any observation in the present order.

(Vikash Jain, J)

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