

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75097 of 2019**

Arising Out of PS. Case No.-219 Year-2018 Thana- VISHNUPAD District- Gaya

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SANJAY LAL BHAIYA Son of Late Chhote Lal Bhaiya Resident of Mohalla-
Karmilli, Police Station-Vishnupad, District-Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Akhileshwar Dayal

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 22-11-2019 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Vishnupad P.S. Case No.219 of 2018 registered for the
offences punishable under Sections 341, 342, 323, 325, 307,
504, 506 and 34 of the Indian Penal Code.

Nine named accused persons including the
petitioner and three unknown miscreants are said to have
assaulted the informant and his son-in-law by means of rod.
Informant has sustained altogether five injuries out of them four
are grievous in nature.

It is submitted by learned counsel for the
petitioner that the petitioner has no concern with the aforesaid



occurrence. He has been falsely implicated in the case due to business rivalry. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He is aged about 60 years. Though petitioner has been made accused in eight other criminal cases but all the aforesaid cases have been lodged by the informant and his family members.

Learned counsel for the informant and learned APP for the State opposing the bail prayer submitted that altogether 8 criminal cases have been lodged against the petitioner. Anticipatory bail of similarly situated other five co-accused namely Tuntun Lal Bhaiya @ Govind, Shivam Lal Bhaiya, Bachu Lal Bhaiya, Rahul Lal Bhaiya and Tutu Lal Bhaiya @ Vishwa Nath have been rejected by co-ordinate Bench of this Court vide order dated 17.01.2019 passed in Cr. Misc. No.1185 of 2019. Other accused persons have been enlarged on regular bail by learned court below.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for bail of the petitioner is hereby rejected. However, the petitioner is directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order in accordance with law without being



prejudiced by this order, considering the fact that other accused persons have been granted regular bail by learned lower Court.

(Prakash Chandra Jaiswal, J)

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