

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.23483 of 2020**

Arising Out of PS. Case No.-224 Year-2019 Thana- BIBHUTIPUR District- Samastipur

Ajay Kumar Rai @ Ajay Kumar Roy, Son of Ram Narayana Rai, Resident of
Village - Mustafapur, P.S.- Bibhutipur, Distt.- Samastipur. Petitioner
Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh, Advocate
For the Opposite Party/s : Mr.Narendra Kumar Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 06-10-2020 Learned counsel for the petitioner undertakes to

remove all the defects pointed by the Stamp Reporter within three

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr.
Narendra Kumar Singh, learned A.P.P. for the State.

Petitioner in the present case is seeking pre-arrest bail in

connection with Bibhutipur P.S. Case No. 224 of 2019 registered

for the offences punishable under Sections 448, 341, 323, 324,

307, 354, 379, 504, 506/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the

alleged occurrence seems to have taken place on account of a land

dispute. The allegation against this petitioner is that he had

assaulted Ramjinish Rai on his both legs because of which he fell

down and became unconscious. It is then pointed out that the wife

of co-accused Mantun Ray has filed a complaint case against the

informant and others in the court of learned Additional Chief



Judicial Magistrate, Rosera alleging offences under Sections 376/511 of the Indian Penal Code.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner. It is submitted that in the impugned order it has come that the assault given by this petitioner caused two grievous injuries on the leg of said Ramjinish Rai. It is submitted that in a case seeking pre-arrest bail there being specific allegations of repeated assault causing two grievous injuries the petitioner does not deserve privilege of anticipatory bail.

This Court is willing to accept the submission of learned A.P.P. for the State. The allegations are specific and two grievous injuries have been noticed in the impugned order, therefore, this Court is not inclined to exercise its discretion for grant of anticipatory bail to the petitioner. Prayer is refused.

In case the petitioner surrenders and prays for regular bail in the court below within a period of four weeks his prayer for regular bail shall be considered on its own merit without being prejudiced by the order of this Court.

(Rajeev Ranjan Prasad, J)

vats/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

