

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.28229 of 2020**

Arising Out of PS. Case No.-534 Year-2019 Thana- BHAGWAN BAZAR District- Saran

BIJAY @ VIJAY RAI, Son of Nand Kishore Rai R/o Vill- Jaan Tola, P.S.-  
Rivilganj, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ajay Kumar Tiwary

For the Opposite Party/s : Mr.A.G.

**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**  
**ORAL ORDER**

2      04-12-2020                      Heard Mr. Ajay Kumar Tiwary, learned counsel

for the petitioner and learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Bhagwan Bazar P. S. Case No. 534 of 2019 dated 12.11.2019, instituted for the offences under Sections 147, 148, 149, 341, 323, 324, 307, 302 and 504 of the Indian Penal Code.

Though in the F.I.R., there is no specific accusation of assault against the petitioner but it appears that the deceased was killed in the house where the petitioner was also present along with other accused persons. The circumstances of this case do not persuade



this Court to grant anticipatory bail to him.

The prayer for anticipatory bail is rejected.

However, if the petitioner surrenders before the court below and seeks bail, the court below shall take into account that there is no specific accusation against the petitioner and shall pass orders in accordance with law, without being prejudiced by the fact that the present petition has not been entertained by this Court.

**(Ashutosh Kumar, J)**

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