

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32735 of 2021

Arising Out of PS. Case No.-220 Year-2020 Thana- VAISHALI District- Vaishali

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1. NAGENDRA RAI Son of Bhola Rai, Resident of Village - Jatkauli, P.S.- Vaishali, Distt.- Vaishali.
 2. Vijay Rai @ Vijay Kumar Son of Rambabu Rai, Resident of Village - Jatkauli, P.S.- Vaishali, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prakash Chandra Jha
For the Opposite Party/s : Mr.Pradeep Narain Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 31-03-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioners as well as the learned Additional Public Prosecutor for the State.

At the very outset, the learned counsel for the petitioners has submitted that during the pendency of this criminal miscellaneous petition, petitioner no. 1 has been arrested, as such, this criminal miscellaneous petition has become infructuous with respect to him.

In view of above submission, this criminal



miscellaneous petition is **dismissed as infructuous with respect to petitioner no. 1.**

So far as petitioner no. 2 is concerned, he apprehends his arrest in connection with Vaishali P.S. Case No. 220 of 2020 registered for offence punishable under sections 341, 147, 447, 323, 324, 307, 504 and 506 of the Indian Penal Code.

As per allegation, the accused persons named in the FIR came to the darwaja of the informant and badly assaulted the informant and her family members. The allegation against the petitioners Vijay Rai @ Vijay Kumar and Nagendra Rai is that they assaulted the informant with iron rod.

The learned counsel for the petitioners has submitted that the petitioners have falsely been implicated and the case was lodged after four months of the alleged occurrence.

On the other hand, the learned Additional Public Prosecutor has opposed the prayer for bail and submitted that the multiple injuries were found on the person of the informant. There is specific allegation against petitioner no. 2, Vijay Rai @ Vijay Kumar that he along with co-accused Nagendra Rai inflicted rod blow on the head of the informant, who sustained grievous injuries.

Considering the above-mentioned facts and



circumstances, the **prayer for anticipatory bail of petitioner no. 2 is hereby rejected.**

Office shall ensure that all defects are removed by the petitioners within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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