

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59814 of 2021

Arising Out of PS. Case No.-2 Year-2015 Thana- GAIGHAT District- Muzaffarpur

VINAY KUMAR @ VINAY RAI S/o Ramakhayalu Rai R/o village-
Kumhraul, P.S.- Gaighat, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Prakash Shharma
For the Opposite Party/s : Mr.Rabindra Kumar

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

ORAL ORDER

2 15-07-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard the learned counsel for the petitioner and
learned APP for the State through video conferencing.

The petitioner apprehends his arrest for the
offences alleged under Section 302/34 of the Indian Penal Code,
registered in connection with Gaighat P.S.Case No. 02 of 2015.

As per allegation, nine accused persons named
in the FIR including the petitioner, dragged away the father of
the informant from his verandah. Co-accused Indrajeet Rai
ordered to kill the father of the informant, whereupon all those
accused persons including the petitioner, assaulted him with
lathi, bricks etc. when the family members went to rescue him,
the accused persons also assaulted him. The father of the
informant died during the course of treatment in the PMCH.

The learned counsel for the petitioner has submitted



that he is innocent. He has submitted further that the deceased had taken money from co-accused Indrajeet Rai and when Indrajeet Rai demanded money, the prosecution side assaulted the members of the defense side. He has also submitted that the deceased fell down on the ground and he died.

From perusal of the FIR, it appears that there is clear allegation against accused persons including the petitioner that they badly assaulted the deceased. At the order of co-accused Indrajeet Rai sustaining injuries the deceased died in the PMCH in course of treatment.

Considering the above facts and circumstances, it is not a fit case for anticipatory bail. The prayer for anticipatory bail on behalf of the petitioner is hereby rejected.

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

(Nawneet Kumar Pandey, J)

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