

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64672 of 2021

Arising Out of PS. Case No.-25 Year-2019 Thana- PANDARAK District- Patna

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Anil Yadav @ Anil Rai S/o Jagdish Yadav R/o village- Dargahi Tola, P.S.-
Pandarak, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prem Ranjan Kumar, Advocate.

For the Opposite Party/s : Mr.Ram Priya Sharan Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

5 22-08-2022 Heard Mr. Prem Ranjan Kumar, learned counsel
appearing on behalf of the petitioner and Mr. Ram Priya Sharan
Singh, learned A.P.P. for the State.

Let the defect(s), if any, be removed within two
weeks of the complete start of the physical Court in normal
course.

The petitioner seeks regular bail in connection with
Pandarak P.S. Case No. 25 of 2019 for the offence punishable
under Sections 341, 323, 504, 506, 363 and 365/34 of the Indian
Penal Code and Section 27 of the Arms Act.

Prosecution story in brief is that due to some
altercation over crop damage, Shatrudhan Rai and Manoj Rai
assaulted the brother of the informant. When the informant and
his father reached there, accused persons abused and assaulted
them. The informant managed to flee away from the place of



occurrence, but his father was caught by Anil Rai, Dharo Rai, Daya Nand Rai, Biro Rai and Sharavan Mahto and five other unknown persons and thereafter his father is traceless.

Learned counsel appearing for the petitioner submitted that though the petitioner is named in the F.I.R. no case under Section 363 and 365 of the Indian Penal Code is made against him. From the very perusal of the F.I.R. it seems that general and omnibus allegation has been made against the petitioner. He further submitted that the alleged incident took place in the evening and there was no means of identification. In fact, no such occurrence took place at the spot and the entire story cooked up by the informant with ulterior motive. The petitioner is in custody since 27.03.2021 and on these grounds, he seeks to be released on bail.

Learned A.P.P. vehemently opposed the prayer for grant of bail to the petitioner. He has referred to the statement made in paragraph No.3 of the bail application from which it appears that altogether 10 cases are pending against the petitioner and as such it would not be in the interest of the society to release the petitioner on bail.

Considering the nature of allegation and criminal antecedent of the petitioner, I am not inclined to enlarge the



petitioner on bail at this stage.

Accordingly, the present bail application is rejected.

However, the petitioner may renew his prayer for bail
after completion of further 12 months of custody.

(Purnendu Singh, J)

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