

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68688 of 2021**

Arising Out of PS. Case No.-97 Year-2021 Thana- KADWA District- Katihar

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AJAY RAI @ AJAY KUMAR RAI S/o- DHYANI PRASAD ROY Resident
of Dhangama, Ward No.-3, P.S. Kadwa, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate
For the Opposite Party/s : Mr. Dinesh Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 08-08-2022 Heard learned counsel for the petitioner and learned
APP for the State and perused the case diary.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 302/34 of
the Indian Penal Code.

It is a case of assault upon the informant's husband by
the petitioner and other accused persons.

It is submitted by learned counsel for the petitioner
that the petitioner has falsely been implicated in this case. He
further submits that there is no specific allegation against the
petitioner of assault and there is general and omnibus allegation
against him.

Learned APP appearing for the State opposed the
anticipatory bail and submitted that all the accused persons



assaulted upon the informant's husband due to which, he succumbed to injuries. The postmortem report also corroborates this fact. Other witnesses during investigation have supported the case of the prosecution. The postmortem report shows that the injured has sustained several injuries and cause of death was due to said injury.

After considering the aforesaid facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner is rejected.

However, the petitioner is directed to surrender before the court below and pray for regular bail.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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