

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17151 of 2023

Arising Out of PS. Case No.-301 Year-2022 Thana- PIPRAKOTHI District- East Champaran

1. WAKIL RAY Son of Late Raghuvir Ray @ Raghuvansh Ray Resident of Village - Mathiya Bariyarpur, P.S.- Piprakothi, District - East Champaran
2. Rajesh Ray @ Rajesh Yadav Son of Wakil Ray Resident of Village - Mathiya Bariyarpur, P.S.- Piprakothi, District - East Champaran
3. Sonu Ray @ Gonu Kumar Son of Wakil Ray Resident of Village - Mathiya Bariyarpur, P.S.- Piprakothi, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar
For the Opposite Party/s : Mr. Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 26-06-2023 Heard learned counsel for the petitioners and learned
APP for the State.

Learned counsel for the petitioners seeks permission to withdraw this application submitting that during pendency of this application the petitioners no. 1 and 3 have already been apprehended by the police.

Permission is granted.

Accordingly, this application with regard to petitioners no. 1 and 3 is dismissed as withdrawn.

Now, this application is being heard with regard to petitioner no. 2, only.

Heard learned counsel for the petitioners and



learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Piprakothi P.S. Case No. 301 of 2022 in a case registered for the offences punishable under Sections 147, 341, 323, 324, 307, 504, 506 of the Indian Penal Code, pending in the court of learned 11th Additional Chief Judicial Magistrate, Motihari, East Champaran.

As per prosecution case, the FIR named persons along with other 4-5 unknown persons, armed with knife, abused and assaulted informant and his family members.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the prosecution appears to be fishing in troubled water in view of the facts as stand above, and the present case appears to have been maliciously lodged due to land dispute. Petitioner have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for anticipatory bail and submits that injury was found grievous in nature. Hence, he does not deserve privilege of anticipatory bail.



Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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