

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34046 of 2022

Arising Out of PS. Case No.-438 Year-2021 Thana- BELAGANJ District- Gaya

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VIJAY KEWAT Son of Sohrai Manjhi Resident of Village - Shanti Nagar, P.S.
- Khizer Sarai, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sheikh Arkan Ahmad, Advocate
For the Opposite Party/s	:	Mr. Zainul Abedin, APP
For the informant/s	:	Mr. Ranjit Kumar Yadav, Advocate
		Mrs. Rupam Kumari, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 14-02-2023 Heard learned counsel for the petitioner and learned

A.P.P. for the State assisted by learned counsel for the

informant.

Learned counsel for the petitioner undertakes to
remove the defect(s), as pointed out by the office, within four
weeks.

The petitioner apprehends his arrest in Belaganj P.S.
Case No. 438 of 2021 registered for the offences punishable
under Sections 341, 323, 307, 504, 506 and 34 of the Indian
Penal Code pending in the Court of learned Additional Chief
Judicial Magistrate-II nd, Gaya.

As per FIR, allegation against the petitioner is that he
along with other co-accused persons assaulted the father of the



informant as well as of her family members and caused severe injuries to them.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He further submits that the petitioner has falsely been implicated in this case due to family dispute and there is case and counter case between the parties. He also submits that the father of the informant died after fifteen days of the occurrence as mentioned in para 5 of the bail application. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He further submits that the petitioner has no criminal antecedent.

Learned APP for the State vehemently opposing the bail petition submitted that there is specific over act against the petitioner. Hence, he does not deserve privilege of anticipatory bail.

Considering the facts and circumstances of case and the fact that there is ample evidence against the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail and the



learned Court below would pass order on the same day in
accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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