

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43780 of 2023

Arising Out of PS. Case No.-482 Year-2022 Thana- MALSALAMI District- Patna

KARAN RAI @ KARAN RAJ S/O LATE KHUDI RAI R/O- Bhaisani Tola,
PS. Malsalami, Dist. Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar, Advocate Mr. Arvind Kumar Pradhan, Advocate
For the Opposite Party/s	:	Mr. Md. Iftekhar Mahmood

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 11-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Malsalami P.S. Case No. 482 of 2022 registered for the offences punishable under Sections 341, 323, 307, 504, 506 and 34 of the Indian Penal Code and Section 27 of the Arms Act. He has got three criminal antecedent in which he is said to be on bail.

3. Learned counsel for the petitioner submits that the informant has alleged that on 29.08.2022 between 10-11 pm, the accused persons, including the petitioner, assaulted one Ravi Pandey causing severe injury to him and fled away after firing five-six rounds.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the allegations against the petitioner are general and omnibus in nature.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner. It is submitted that in the case diary it has come that the petitioner has participated in the occurrence having three criminal antecedents on his head.

6. Having regard to the facts and circumstances of the case wherein it has transpired in the case diary that this petitioner and some other persons were pressurising the victim Ravi Pandey to commit some illegal act, which he was refusing, and for that reason Ravi Pandey was assaulted, this petitioner is one of the persons who had participated in the alleged occurrence and this Court further finds that he has got three criminal antecedents, he is said to be on bail in the case at serial no. 1 and 3 which shows that even during availing the privilege of bail he is getting involved in another offence, therefore this Court is not inclined to grant privilege of anticipatory bail to the petitioner. His prayer for anticipatory bail is refused.

7. In case, the petitioner surrenders and prays for regular bail in the learned court below, his prayer for regular



bail shall be considered on its own merit without being prejudiced by the order of this Court.

(Rajeev Ranjan Prasad, J)

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