

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50511 of 2023

Arising Out of PS. Case No.-133 Year-2023 Thana- TARAIYA District- Saran

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ANNU RAI SON OF YOGI RAI RESIDENT OF VILLAGE- PIPRA, PO-
TARAIYA, DISTT- SARAN AT CHAPRA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Dewendra Narayan Singh
For the Opposite Party/s :	Mr. Dr. Ajeet Kumar
	Mr. Krishna Kumar Yadav

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-08-2023 Heard the parties.

2. The petitioner apprehends his arrest in Taraiya P.S. Case No.133 of 2023, registered for the offence punishable under Sections 307 and other allied Sections of the Indian Penal Code.

3. The allegation against the petitioner is that he assaulted one Yogi Rai due to which he sustained injuries.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is allegation against the petitioner is to assault the injured person on his finger and that is not a vital



part of the body. He further submits that the petitioner and informant are own brothers. Petitioner has no criminal antecedent.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail by submitting that there is specific allegation against the petitioner to assault Yogi Rai due to which he sustained grievous injuries.

6. Having regard to the facts and circumstances of the case as well as considering the nature of injury, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. This application is, accordingly, dismissed.

8. However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seek for regular bail, the learned Court below shall pass the order on the same day, in accordance with law considering that the petitioner and informant are own brothers and petitioner has no criminal antecedent.

(Anjani Kumar Sharan, J)

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