

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62975 of 2022

Arising Out of PS. Case No.-89 Year-2022 Thana- RIVILGANJ District- Saran

NIRAJ SINGH Son of Kisa Singh @ Krishna Singh Resident of Nayaka
Barka Baiju Tola, Police Station- Rivilganj, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kumar Yadav, Adv.

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 03-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
02.04.2022 in connection with Rivilganj P.S. Case No.89/2022,
F.I.R. dated 19.03.2022, for the offences punishable under
Sections 341, 324, 307, 302 and 34 of the Indian Penal Code.

According to prosecution case, the petitioner along
with co-accused, namely, Sachin Singh gave knife blow upon
the chest and stomach of Anshu Kumar @ Narayan. Thereafter
the injured was taken to hospital, where the doctor declared the
brother of informant namely Anshu Kumar @ Narayan dead.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated in the present case merely
on the basis of suspicion. He further submits that the informant



is not an eyewitness of the alleged occurrence and the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R.

Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner and submits that there is direct allegation against the petitioner of assaulting the deceased with knife and the postmortem report of the deceased supports the allegation as alleged in the F.I.R. He further submits that the petitioner also carried three criminal antecedent other than the present one.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Rivilganj P.S. Case No.89/2022, pending in the court of Miss. Ruby Kumari, J.M.1st Class, Saran at Chapra.

Prayer is refused.

(Rajesh Kumar Verma, J)

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