

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80222 of 2023

Arising Out of PS. Case No.-33 Year-2023 Thana- MANJHAGARH District- Gopalganj

VISHAL GIRI S/o Ganesh Giri RESIDENT OF VILLAGE AHIRWALIYA
PS MANJHAGARH, DISTT - GOPALGANJ

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Sushil Kumar
For the Opposite Party/s :	Mr. Rajiv Nayan
	Mr. Devashish Giri

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-12-2023 Heard the parties.

2. The petitioner apprehends his arrest in connection with Manjhagarh P.S. Case No.33 of 2023, registered for the offence punishable under Sections 341, 323, 307, 325, 354, 427, 379, 504, 506, 34 of the Indian Penal Code.

3. The allegation against the petitioner is that he along with other co-accused persons assaulted the informant's side by means of several weapons.

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 no specific overt act against the petitioner. He further submits that there is a delay of eight days in lodging the FIR, which creates a serious doubt over the prosecution story. He further submits that similarly situated co-accused has been granted anticipatory bail by a co-ordinate Bench of this Court. 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. It is submitted by the learned counsel for the informant that there is a specific allegation against the petitioner to assault the injured person due to which he sustained grievous injury.

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.

(Anjani Kumar Sharan, J)

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