

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80530 of 2023

Arising Out of PS. Case No.-125 Year-2023 Thana- DHANARUA District- Patna

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Rahul Kumar S/O Vidanand Prasad R/O Village- Sewdaha Bigha, P.S-
Dhanarua, Distt.- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 307, 302 and 120(B) of the Indian Penal Code and Section 27 of the Arms Act pending in the learned court below.

3. As per the prosecution case, when the informant was sitting on the gate with her husband then petitioner along with other co-accused persons called upon the husband of the petitioner to play the D.J. near petrol pump. Where all the 4 accused persons assaulted him but any how, he came to his house. It is further stated that all the accused persons armed with lathi and danda came to her house and again assaulted him due to which the husband of the informant died.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. He further submits that there is general and omnibus allegation against the petitioner. He submits that there is no specific overt act against the petitioner. He further submits that there is no eye witness in this case only on the basis of the suspicion the petitioner has been made accused in this case. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

5. Per contra, learned APP for the State vehemently opposing the bail application and submits that some of the co-accused persons were apprehended by police and in their confessional statement recorded under Section 161 Cr.P.C. they stated that the petitioner is also involved in this case and also the anticipatory bail application of the one of the co-accused person, namely, Nilesh Kumar, was rejected by a Co-ordinate Bench of this Court vide order dated 17.10.2023 passed in Cr. Misc. No.64187 of 2023. Hence, he does not deserve anticipatory bail.

6. Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail in connection with Dhanarua P.S. Case No. 125 of 2023. Accordingly, his prayer for anticipatory bail is hereby rejected.

(Anjani Kumar Sharan, J)

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