

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.417 of 2024**

Arising Out of PS. Case No.-1083 Year-2023 Thana- GAYA MUFASIL District- Gaya

Raushan Kumar Son of Ratan Beldar Resident of Village-Baradih near I.T.I.,
P.S.-Muffasil, Distt.-Gaya

... .. Appellant/s

Versus

1. The State of Bihar
2. Rishi Kumar Son of Pappu Ravidas Resident of village-Baradih, P.S.-
Muffasil, Distt.-Gaya

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Vinod Kumar, Advocate

For the Respondent/s : Ms.Usha Kumari 1, Spl.P.P.

Mr. Ramashish, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

3 02-07-2024 Heard learned counsel for the appellant and the learned
Special Public Prosecutor for the State and the learned counsel
appearing on behalf of the respondent no.2.

2. The appellant has challenged the order dated
22.12.2023 passed by the learned Special Judge SC/ST, Special
Court, Gaya in connection with Muffasil P.S. Case No.1083 of
2023, instituted for the offences under Sections 147, 148, 323,
341, 323, 302, 504 of the IPC and 27 of the Arms Act and
Section 3(2)(v) of the SC & ST Act, whereby their prayer for



grant of anticipatory bail has been rejected.

3. The learned counsel for the appellant submits that appellant is a person with clean antecedent and has been falsely implicated in the instant case by the informant with general and omnibus allegation.

4. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the informant alleges that the deceased was surrounded by the named accused persons as well as unnamed accused persons and Raushan Paswan, Sagar Kumar and Sunil Das fired leading to death of the deceased. It is next submitted this appellant is alleged to have been holding the deceased, when allegation of firing is against other named accused persons.

5. The learned counsel appearing on behalf of the respondent no.2 submits that during the course of investigation, it transpired that the sister of the deceased was having an affair with the appellant and the said relationship was being objected by the deceased, on account of which the present occurrence is alleged to have taken place. It is also submitted that investigation of the case is in its nascent stages and in the event if privilege of anticipatory bail is granted to the appellant, the appellant may abscond.



6. Considering the submission made by the learned counsel appearing on behalf of the respondent no.2, the Court is not inclined to extend the privilege of anticipatory bail to the appellant, accordingly, the appeal stands rejected.

(Satyavrat Verma, J)

Prakash Narayan

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