

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12215 of 2024

Arising Out of PS. Case No.-101 Year-2022 Thana- RAGHOPUR District- Vaishali

Rajeev Ranjan @ Rajiv Roy @ Rajiv Ranjan S/o Munilal Roy R/o vill -
Mohanpur, ward no. 5, P.S. - Raghapur, Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mirityunjay Kumar

For the Opposite Party/s : Mr. Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 2 12-03-2024 1. Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out
of Raghapur Police Station Case No. 101 of 2022,
disclosing offences under Sections 147, 148, 149, 341,
323, 307, 302 of the Indian Penal Code.
3. As per the First Information Report, during the
panchayati held for partition of the family property, the
accused persons, named in the FIR, ordered to kill the
persons from the informant's side upon which Vikas
Kumar, Akash Kumar and Pradeep Kumar caught hold
the father of the informant and then the petitioner along
with other accused persons, five in numbers, in the
planned manner, assaulted the father of the informant by
means of iron rod, gandasa, bricks etc. due to which



informant's father sustained injury on his head and he died during the course of treatment. It has also been alleged that when the uncle and family members of the informant tried to intervene, they were also assaulted by the accused persons.

4. Learned Counsel for the petitioner submits that the occurrence has taken place due to land dispute between the two families who are agnates. He further submits that a counter case has also been lodged bearing Raghapur P.S. Case No. 102 of 2022, in which the side of the petitioner has also sustained injury. Three accused persons have been granted anticipatory bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 78487 of 2023 and Cr. Misc. No. 69075 of 2023.
5. I have heard learned counsel for the parties and have gone through the materials on record. In the FIR, it has specifically been alleged that upon order, being given by the named accused persons, three accused persons, namely Vikas Kumar, Akash Kumar and Pradeep Kumar caught hold of the informant's father and the petitioner along with others, in a pre-planned manner, brutally assaulted the informant's father due to which he died



during the course of treatment. A Co-ordinate Bench of this Court has granted anticipatory bail to the accused persons against whom, the only allegation was that they caught the father of the informant, there was no allegation of assault upon them, accordingly, taking into consideration the nature of allegation and the fact that petitioner is one of the assailant, I am not inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, rejected.

(Anil Kumar Sinha, J)

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