

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25429 of 2024

Arising Out of PS. Case No.-58 Year-2022 Thana- AKILPUR District- Saran

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PAPPU RAI S/O VIJAY RAI R/O VILLAGE- SALHALI, P.S- AKILPUR,
DISTT.- SARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Thakur, Adv.

For the Opposite Party/s : Mr.Rabindra Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-04-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in Akilpur P.S.
Case No. 58 of 2022 registered for the offences punishable
under Sections 341, 323, 324, 354(B), 379, 504, 506, 34 of the
Indian Penal Code and later on Section 302 of the Indian Penal
Code was added.

3. Allegedly, the petitioner along with other co-accused
persons are said to have abused and assaulted the informant and
her family members.

4. It is submitted by learned counsel for the petitioner
that petitioner is quite innocent and he has committed no
offence. No such occurrence as alleged has ever taken place.
He has been falsely implicated in this case due to ulterior



motive. The allegation levelled against the petitioner is totally false and based on concocted facts. There is case and counter case between the parties and with a view to save her skin from the counter case i.e. Akilpur P.S. Case No. 59 of 2022, the informant filed the present case against the petitioner. It is further submitted that initially the present case was registered under Section 341, 323, 324, 354(b), 379, 504, 506, 34, but later on Section 302 of the IPC was added on the basis of fardbeyan of one Harendra Rai, who is Bhaisur of the informant with an allegation that the accused persons including the petitioner assaulted one Nitish Kumar due to which he sustained injuries and died during his treatment, but from perusal of the FIR, it is evident that deceased Nitish Kumar was not present at the alleged time of occurrence, which creates serious doubt about the prosecution case. Petitioner has one criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the facts and circumstances of the case as well as the nature of offence, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected.

7. However, if the petitioner surrenders before the learned



Court below within six weeks from today and seeks regular bail,
the learned Court below shall pass order on the same day in
accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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