

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22412 of 2024

Arising Out of PS. Case No.-68 Year-2021 Thana- NASRIGANJ District- Rohtas

Vijay Yadav @ Vijay Singh son of Kuli Singh R/o- Gram Nasriganj Yadav
Tola W.No-8, Po Ps- Nasriganj Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saurav Barial, Advocate
For the Opposite Party/s : Mr.Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 03-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Nasriganj P.S. Case No. 68/2021 registered on 30.04.2021 for the offenses punishable under Sections /147, 149, 323, 325 and 302 of the Indian Penal Code.

3. As per the prosecution, the FIR has been lodged against 12 named and 30 unknown accused persons. Petitioner is one of the named accused person in this case. As per the allegation in the FIR, the marriage ceremony of the son of the informant was going on and in the said marriage, dance programme was also arranged. During dance programme, the occurrence took place in which the allegation has been made



that all the named accused persons along with 30 others have started assaulting one person of *barati* side and due to the said brutal assault, he died.

4. It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. The antecedent of the petitioner is clean. He further submits that the FIR has been lodged in the year 2021, but the petitioner has got knowledge about lodging of the FIR recently in the month of October, 2023. He further submits that Sessions Trial No. 677 of 2022 has commenced in which the evidences of informant's son and other witnesses have come, but the son of the informant has not supported the contents of the FIR. He further submits that in the light of the statement made by the prosecution witness, the petitioner deserves for bail.

5. Learned APP for the State opposes the prayer for bail and submits that the present anticipatory bail has been filed after about three years. He also submits that when the trial has commenced, it automatically means that the petitioner has not secured his presence for last three years before the trial Court. Above all, he is a named accused in an offence under Section 302 of the Indian Penal Code.

6. In this background, this Court is not inclined to



grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner in connection with Nasriganj P.S. Case No. 68/2021, pending before the learned Additional District and Sessions Judge-V, Rohtas at Sasaram is hereby rejected.

(Dr. Anshuman, J)

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