

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34446 of 2024

Arising Out of PS. Case No.-304 Year-2022 Thana- SARAI RANJAN District- Samastipur

Nitin Prakash @ Raja Babu S/O Kusheshwar Roy R/o Village- Raipur
Buzurg, PS -Sarairanjan, District Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushkar Narain Shahi, Sr. Advocate

For the Opposite Party/s : Mr.Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 02-08-2024 Heard Mr. Pushkar Narain Shahi, learned Senior
counsel for the petitioner and learned APP for the State.

2. The petitioners apprehend his arrest in connection with Sarairanjan P.S. Case No. 304/2022 registered under Sections 341, 323, 324, 307, 337, 379, 354B, 447 and 504/34 of the Indian Penal Code lodged on 09.11.2022 by the informant, Ranjit Kumar.

3. As per the prosecution story, when the informant was cleaning the milk machine at Milk Center situated at his 'Bathan' his agnate Kusheshwar Rai, Nitin Prakash @ Raja Babu, Sachin Prakash @ Mukul Rai, Sunita Devi variously armed came at his 'Bathan' and started hurling abuses. On his protest, Kusheshwar Rai ordered to kill him on which Nitin Kumar Prakash assaulted on his head using of sharp edged



weapon and he received cut injury on head. He gave repeated blow. Sachin Prakash assaulted on his neck using but he warded it off causing injury in the left hand. Again he used weapon causing injury on the stomach. Kusheshwar Rai started assaulting with iron rod and he fell down. Sunita Devi assaulted with brick and took away Rs. 25,000/- from the pocket. On raising alarm, when villagers started coming, Kusheshwar Rai threw his mother Raj Kumari Devi who had come to save him and assaulted her with leg and fist and torn her clothes. Villagers assembled and pacified the matter and saved his life and thereafter took him for treatment to Sadar Hospital, Samastipur where he is being treated. Accordingly, the FIR.

4. It is an admitted fact that on 24.05.2023, the Cr. Misc. No. 16480 of 2023 was rejected. So far as the present petition is concerned, he filed another petition vide Cr. Misc. No. 54515 of 2023 which came to be rejected pursuant to the non-compliance of the order dated 15.09.2023. The FIR is of the year, 2022, the petitioner initially took one year to come to this Court, the anticipatory bail was rejected, he chose to prefer another one, as stated above, and as it was dismissed for non-compliance of the order dated 15.09.2023. Thus, this is his third attempt, specific allegation is against him of giving injury on



the head with a sharp edged weapon causing causing injury and
in that background, no relief can be granted. The anticipatory
bail stands rejected once again.

(Rajiv Roy, J)

Jagdish/-

U		T	
---	--	---	--

