

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47959 of 2024

Arising Out of PS. Case No.-368 Year-2023 Thana- KOILWAR District- Bhojpur

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Vikram Jeet @ Vikarm Kaushik S/o Jugal Kishore R/o U.P.O 30 G.G.
Chunawar, P.S. - Padampur, Distt. - Ganganagar, State - Rajasthan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raju Kumar Singh, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 04-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Koilwar P.S. Case No. 368 of 2023 registered for the
offences punishable under Sections 147, 149 & 302 of the
Indian Penal Code.

3. It is alleged against the petitioner and other FIR
named accused persons and some unknown accused that they
brutally assaulted the elder brother of the informant by *lathi*,
danda, fists, slaps and iron rod, as a result of which, the elder



brother of the informant succumbed to the injuries.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. Petitioner is named in the FIR. It is submitted that allegation is general and omnibus in nature against the petitioner. There is no eye witness to the occurrence. Co-accused has been granted regular bail by this Court *vide* order dated 10-04-2024 passed in Cr. Misc. No. 26029 of 2024.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that during course of investigation prosecution witnesses have supported the prosecution case and investigation is still pending against this petitioner.

6. Considering the rival submissions made by the learned counsel for the parties, nature and gravity of the offence and taking into account the fact that investigation is still pending against the petitioner, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. Accordingly, prayer for grant of anticipatory bail is *rejected*.

7. However, if the petitioner surrenders before the court below within a period of four weeks from today and prays



for regular bail, the same would be considered by the court below in accordance with law without being prejudiced by the order of this Court.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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