

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50119 of 2024

Arising Out of PS. Case No.-523 Year-2023 Thana- BIDUPUR District- Vaishali

Laxman Rai Son Of Late Raman Rai Resident Of Village - Mohiuddinpur,
P.S. - Bidupur, District - Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rohit Kumar, Advocate
For the State	:	Mr. Chandra Sen Prasad Singh, APP
For the Informant	:	Mr. Shanti Bhushan Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 09-08-2024 Heard Mr. Rohit Kumar, learned counsel for the petitioner, Mr. Chandra Sen Prasad Singh, learned APP for the State and Mr. Shanti Bhushan Singh, learned counsel appearing on behalf of the Informant.

2. The petitioner is apprehending his arrest in connection with Bidupur P.S. Case No. 523 of 2023 for the offence under Sections 341, 323, 307, 325, 354, 504, 506 and 34 of the I.P.C. lodged on 02.09.2023. by the informant, Girja Prasad Rai.

3. As per the prosecution story, the informant alleged that they are neighbour and due to minor incident that occurred six months ago, as they were sleeping, the



accused persons came armed variously and specific allegation against the sole petitioner is of assaulting the informant/family members causing injury. Accordingly, the F.I.R.

4. It seems that, earlier the petitioner moved with other accused persons in Cr. Misc. No. 8238 of 2024, which was taken and while allowing the anticipatory bail application of petitioner nos. 2, 4 and 5, the anticipatory bail application of petitioner no. 1 Laxman Rai and petitioner no. 3 Anil Rai of the said case were rejected.

5. Despite the rejection of the said anticipatory bail and observation in the Cr. Misc. No. 8238 of 2024 that if the accused persons surrender within four weeks the matter shall be taken up and dispose it of preferably on the same day, the petitioner after five months once again moved for grant of anticipatory bail.

6. The facts have already been incorporated in Cr. Misc. No. 8238 of 2024 and need no repetition, the second anticipatory bail of the petitioner stands rejected.

7. The Superintendent of Police, Vaishali at Hajipur, is directed to submit a report, how a person who is



accused under Section 307 of the I.P.C., in connection with Bidupur P.S. Case No. 523 of 2023 is roaming free.

8. List after four weeks, under the heading ‘To Be Mentioned’ to go through the report submitted by the Superintend of Police, Vaishali at Hajipur.

(Rajiv Roy, J)

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