

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.50724 of 2023**

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

- 
1. GOLU RAI Son of Vijay Rai Resident of village - Salhali, P.S. - Akilpur, Distt. - Saran
  2. Badal Kumar Son of Vijay Rai Resident of village - Salhali, P.S. - Akilpur, Distt. - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

---

**Appearance :**

For the Petitioner/s : Mr. Ranjit Kumar Thakur

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

---

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

4      10-01-2024                      By order dated 29.08.2023, this application with  
regard to petitioner no. 1 is dismissed as withdrawn.

2. Now, this application is being heard only with  
regard to petitioner no. 2.

3. Heard learned counsel for the petitioner and  
learned A.P.P. for the State.

4. 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 pending in the Court of learned J.M. 1<sup>st</sup>  
Class, Saran at Chapra.

5. As per the prosecution case, the petitioner along  
with other co-accused persons are said to have assaulted the  
informant and her family members.

6. Learned counsel for the petitioner submits that



the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that neither in the *fardbeyan* of the informant nor in her re-statement there is any thing to show that the deceased, Nitesh Kumar, was present on the place of occurrence. He further submits that the informant has not named about Nitesh Kumar, but this fact has been arrayed in the *fardbeyan* of Harendra Rai that Nitesh Kumar has also sustained injury in the alleged occurrence, later on, Nitesh Kumar, died during the course of treatment. The petitioner has no criminal antecedent as mentioned in para-3 of this application.

7. Learned APP for the State vehemently opposing the bail petition submitted that there is ample evidence against the petitioner in the case diary.

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

**(Anjani Kumar Sharan, J)**

anand/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

