

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62474 of 2024

Arising Out of PS. Case No.-225 Year-2023 Thana- MEHANDIGANJ District- Patna

1. Vikram Kumar @ Vikash Kumar Son of Dilip Yadav Resident of Rikabganj, P.S. - Didarganj, District - Patna
2. Rahul Kumar Son of Hari Charan Yadav Resident of Viruachak, P.S. - Mehandiganj, District - Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

3 20-11-2024 Heard learned counsel for the petitioners and

learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Mehandiganj P.S. Case no. 225 of 2023 instituted for the offence under Sections 323, 341, 307, 379, 504, 506/34 of the Indian Penal Code.

3. Prosecution case in nutshell is that informant got telephonic information that his son (injured) is admitted in hospital. When he reached there, he found



him in unconscious state and doctor referred him to Delhi. It is further alleged that after days of treatment, his son regained consciousness and disclosed that he had given Rs. 15,00,000/- (fifteen lakh rupees) to petitioners and Vikram Kumar (Petitioner No. 1) called him to return his due amount. When he reached there, Rahul Kumar (Petitioner No. 2) and three unknown persons took him away and assaulted him. He further disclosed that someone inflicted iron rod blow from behind and due to this he became unconscious. It is further alleged that accused persons have snatched his gold chain worth Rs. 10,000/- (ten thousand rupees).

4. Learned counsel for the petitioners submits that the petitioners are innocent and committed no offence. It is further submitted that the victim has not seen the persons who had assaulted him from behind. Petitioners and the victim are known to each other and in the background of monetary dispute, petitioners have falsely been dragged in this case. A statement has been



made in para-3 of this petition that the petitioners have got no criminal antecedent.

5. Learned APP appearing for the state has vehemently opposed the prayer of regular bail and submitted that there is specific allegation against the petitioners that they conspired the alleged offence. From perusal of the Case Diary vide para 13, 32 and 60, it is evident that the injured besides other things has supported the prosecution case as to the extent that petitioners were involved in the alleged offence as well as considering the nature of injury, their role cannot be overlooked from the alleged offence.

6. Having heard the learned counsel for the parties and considering the nature of allegation as the injury inflicted upon the injured, as per the injury report, suggests that the injury sustained over right parietal region, this court is not inclined to enlarge the petitioners on bail and, as such, their prayer for anticipatory bail stands rejected.



7. The petitioners are directed to surrender before learned court below and prays for regular bail, the same shall be considered by the court below, without being prejudiced by the order of this Court.

(S. B. Pd. Singh, J)

Nirajkrs/-

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