

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60448 of 2024

Arising Out of PS. Case No.-216 Year-2020 Thana- SUGAULI District- East Champaran

Rakesh kumar S/o Nawal sah Resident of Village- Nayaka Tola, P.S.- Sugauli,
District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar, Adv.

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 04-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 302 and 34 of the I.P.C.

3. As per the prosecution case, the F.I.R. has been lodged against 12 named accused persons that they all attacked at the house of the informant with iron rod, lathi, etc., and started assaulting the father of the informant. When the informant and her sister went there, then they have also started assaulting them. During the treatment, father of the informant died.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that it transpires that both are adjacent neighbourer and on petty issue, the dispute started between informant and

petitioner's side. He further submits that the informant's side have assaulted the petitioner's side but due to free fire took place between them, father of the informant injured and during treatment, he died. He further submits that there is one criminal antecedent of the petitioner in which he is on bail. He further submits that the petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him by the Court.

5. Learned A.P.P. for the State opposes the prayer for bail and submits that the allegation of assault is against all the accused persons due to which, father of the informant died.

6. In the present facts and circumstances of the case, this Court is of the view that it is not a fit case for anticipatory bail, therefore, the present anticipatory bail application is hereby rejected.

7. It is directed to the Trial Court that in case the petitioner surrenders within six weeks from today, then in that case, he shall pass order on bail on same day and he shall consider the case on its own merit without being prejudice that the anticipatory bail of the petitioner has been rejected.

8. With this observation, the anticipatory bail application stands rejected.

(Dr. Anshuman, J)

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