

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64087 of 2024

Arising Out of PS. Case No.-14 Year-2023 Thana- VAISHALI District- Vaishali

Raushan Sahani Son of Musafir Sahani Resident of Village- Ram Math, P.S.-
Vaishali (Balsar O.P.), Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan No. II, Adv.

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Vaishali (Belsar O.P) P.S. Case No. 14 of 2023 registered for the offences punishable under Sections 341, 323, 324, 307, 354(B), 379, 504, 506, 34 of the Indian Penal Code.

3. Allegedly, all the FIR named accused persons including the petitioner are said to have assaulted the informant and her family members brutally by means of deadly weapons due to which they sustained injuries.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged has ever taken place. He has



been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. There is an admitted land dispute between the parties. Learned counsel further submits that from perusal of FIR, it is evident that the alleged occurrence took place 28.09.2022, but the *fardbeyan* has been recorded on 10.10.2022 with an inordinate and abnormal delay of 12 days without assigning any plausible and convincing reason for the said delay, which creates serious doubt about the prosecution case. It is further submitted that similarly situated co-accused has been enlarged on bail by this court vide order dated 24.07.2024 passed in Cr. Misc. No. 46188 of 2024. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail and submits that there is serious allegation against the petitioner to assault the informant by means of an iron rod brutally due to which her right hand finger got fractured. This fact is also mentioned in the impugned order.

6. Having regard to the facts and circumstances of the case, since petitioner has inflicted grievous injury, I am not inclined to enlarge the petitioner on anticipatory bail. The



prayer for anticipatory bail of the petitioner is hereby rejected.

7. Accordingly, the application stands dismissed.

(Anjani Kumar Sharan, J)

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