

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66748 of 2024

Arising Out of PS. Case No.-538 Year-2023 Thana- BOCHAHAN District- Muzaffarpur

Munil Rai @ Munil Kumar @ Monil Rai S/O Asharfi Rai R/O Vill.-
Panchgachhiya, P.S- Gaighat, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-09-2024 Heard learned counsel for the petitioner, learned
A.P.P for the State.

2. The petitioner apprehends his arrest in a case registered for offences under Sections 341, 342, 323, 324, 325, 307, 379 and 504 of the Indian Penal Code and later on, Section 302 of the I.P.C. was added in F.I.R.

3. Allegation against petitioner is that he along with other co-accused persons assaulted the informant with knife and iron rod, as a result of which, during course of treatment, he died.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case due to old enmity. Allegation of assault is general and omnibus in nature. In fact, the deceased died due to Septicemia and shock.



5. However, learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail and submits that petitioner is named in the F.I.R. with specific accusation that he along with other F.I.R. named co-accused brutally assaulted informant with knife and iron rod, as a result of which, the deceased sustained multiple injuries and during treatment, died. Post-mortem report also supports the prosecution case.

6. Considering the nature of accusation, the prayer for anticipatory bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

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