

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64344 of 2024

Arising Out of PS. Case No.-23 Year-2024 Thana- CHERIYA BARIYARPUR District-
Begusarai

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Girish Rai @ Girish Kumar S/o- Late Tano Rai @ Late Tano Ray Village-
Bashi, Ward No.-10 P.S- Cheria Bariyarpur, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Adv
For the Opposite Party/s : Mr. Upendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 21-11-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in connection with Cheria Bariyarpur P.S. Case No.23 of 2024, registered for the offence punishable under Sections 323, 307, 341, 379, 504, 506, 34 of the Indian Penal Code.

3. As per the FIR, petitioner and other co-accused persons assaulted the informant and his mother by means of several weapons.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and



omnibus in nature. There is no specific overt act against the petitioner. There is a delay of two day in lodging of the FIR. It is further submitted that the witnesses have stated before the police that all the accused persons assaulted the informant's side. It is further submitted that as per the case diary the informant has not sustained any injury. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail by submitting that there is specific allegation against the petitioner to assault the mother of the informant due to which she sustained grievous injury.

6. Having regard to the facts and circumstances of the case as there is specific allegation against the petitioner to assault the mother of informant, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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