

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.71465 of 2024**

Arising Out of PS. Case No.-179 Year-2024 Thana- BARHARA District- Bhojpur

Kamlesh Rai Son of Mukhdeo Rai Resident of Village - Barahara, P.S.-  
Barahara, District - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Raju Kumar Singh, Adv.

For the State : Mrs. Renu Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR**  
**ORAL ORDER**

2      23-10-2024                      Heard Ld. counsel for the petitioner and Ld. APP for  
the State.

2. The petitioner apprehend his arrest in connection with Barhara P.S. Case No. 179 of 2024 dated 06.05.2024, registered for the offences punishable under Sections 341, 323, 307, 447, 504, 506 read with Section 34 of the Indian Penal Code.

3. As per the allegation the petitioner has assaulted the victim by rod on his head.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the FIR has been lodged after delay of four days of occurrence. He also submits that there is no motive stated by the informant for commission of the alleged



offence.

5. It has also been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedent.

6. It is also stated in paragraph no. 2 of the petition that petitioner has never moved before this Hon'ble Court for grant of Anticipatory Bail or Regular Bail.

7. However, Ld. APP for the State vehemently opposes the prayer of the petitioner for anticipatory bail submitting that allegation of informant is corroborated by the medical evidence, as per which there is lacerated wound found on the body of the victim.

8. Considering the aforesaid facts and circumstances of the case, this Court is not persuaded to enlarge the petitioner on anticipatory bail.

9. Accordingly, the prayer for anticipatory bail of the petitioner stands rejected.

10. At this stage, Ld. Counsel for the petitioner submits that Ld. Court below may be directed to entertain the surrender petition of the petitioner on the same day when the petitioner moves it before the Court below for his surrender.

11. In such situation, Ld. Court below is directed to entertain the surrender petition of the petitioner on the same day



when the same is being moved by the petitioner before the  
Court below.

**(Jitendra Kumar, J.)**

ravishankar/ramesh

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

