

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71573 of 2023

Arising Out of PS. Case No.-173 Year-2020 Thana- NAYAGAON District- Saran

Dinesh Rai @ Dinesh Kumar Rai @ Dinesh Kumar Ray Son Of Budhan Rai
Resident Of Village - Bariyar Chak, Ps- Nayagaon , Distt- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Opposite Party/s : Mr. Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 09-04-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in Nayagaon P.S. Case No. 173 of 2020 registered for the offences punishable under Sections 147, 148, 323, 324, 307, 302 of the Indian Penal Code.

3. As per the prosecution case, the informant and his brothers were sitting in temple on 14.11.2020 at 8 O'clock of night, then all the named accused persons of this case reached there and they started assaulting them by *lathi* and *daab* due to which the brother of the informant died.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the petitioner is not named in the F.I.R.. He further submits that



the informant in re-statement during the course of investigation disclosed the name of the petitioner and on that basis the petitioner has been made accused in the present case. The petitioner has has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State vehemently opposing the bail petition submitted that the petitioner is also involved in the present case.

6. Considering the facts and circumstances of case, nature of the offence and material available against the petitioner in the case diary, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

anand/-

U		T	
---	--	---	--

