

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74068 of 2023

Arising Out of PS. Case No.-204 Year-2022 Thana- RUNISAIDPUR District- Sitamarhi

Raja Kumar @ Raja Babu @ Raja Son Of Vijay Sahni R/O Village- Madhaul,
P.S.- Runni Saidpur, District- Sitamarhi Petitioner/s

Versus

The State Of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vaidehi Raman Prasad Singh, Advocate
For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 29-02-2024 Heard Mr. Vaidehi Raman Prasad Singh, learned
counsel for the petitioner and Mr. Zainul Abedin, learned APP
for the State.

2. The petitioner is apprehending his arrest in connection with Runni Saidpur P.S. Case No. 204 of 2022, F.I.R. dated 22.04.2022 for the offences punishable under Sections 341, 323, 324, 307, 504/34 of the Indian Penal Code and later on Section 302 of the Indian Penal Code was added.

3. According to prosecution case, all the accused persons including this petitioner armed with deadly weapon have assaulted the informant and his father. It is further alleged that this petitioner has assaulted the father of the informant on his head by means of iron dab resulting into his death.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the



petitioner has not committed any offences as alleged in the F.I.R. He further submits that date of occurrence as alleged in the F.I.R is 14.04.2022 but the present F.I.R was instituted on 16.04.2022 i.e. after delay of 2 days without giving any explanation of the said delay. He further submits that as per the allegation in the F.I.R the petitioner has assaulted one Lallan Sahni by means of iron dab resulting into his death during the course of treatment after 8 days of occurrence.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner that he has assaulted the deceased who died during the course of treatment and the postmortem report of the deceased also supports the allegation as alleged in the F.I.R.

6. Considering the aforesaid facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Runni Saidpur P.S. Case No. 204 of 2022 pending in the court of Chief Judicial Magistrate, Sitamarhi.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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