

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85655 of 2024

Arising Out of PS. Case No.-168 Year-2023 Thana- TAJPUR District- Samastipur

Vijay Kumar @ Vijay Kumar Ray @ Vijay Ray Son of Dinesh Ray Resident
of village-Banveera, P.S- Tajpur (Halai O.P), District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Jeetendra Narayan, Advocate
For the State	:	Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 13-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with Sessions Trial No. 221 of 2024 arising out of Tajpur P.S. Case No.168 of 2023, dated 31.03.2023 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 302, 354B, 504 and 506 of the Indian Penal Code.

3. As per the allegation, accused including petitioner killed the father of the informant by assaulting him with *lathi*, *danda* and iron rod.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that similarly situated co-accused Dinesh Ray has already been enlarged on anticipatory bail by this Court *vide* order dated 23.08.2023 passed in Cr. Misc. No.



46895 of 2023.

5. He further submits that the petitioner has been languishing in jail since 02.12.2023.

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

7. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

8. However, learned APP for the State vehemently opposes the prayer of the petitioner for bail submitting that the alleged offence is serious in nature and this is the petitioner who has been alleged to have directly assaulted the deceased resulting into his death. He further submits that this case of the petitioner is not similar to that of Dinesh Ray, because there is specific and direct allegation against the petitioner, whereas there is no such specific allegation against the co-accused Dinesh Ray who has been enlarged on bail.

9. Considering the material on record, I am not persuaded to enlarge the petitioner on bail.

10. The prayer for bail of the petitioner **stands rejected.**

(Jitendra Kumar, J.)

Ramesh, S. Ali/-

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