

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5669 of 2024

Arising Out of PS. Case No.-76 Year-2023 Thana- GORAU District- Vaishali

Raj Kumar @ Raj Kumar Mahto S/o Prabhu Mahto R/o Village- Mauna
Bishunpur, P.S. Vaishali, (Belsar O.P) Distt- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar Singh, Advocate

For the Opposite Party/s : Mr.Arvind Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 09-04-2024 Heard learned counsel for the petitioner and the
State.

2. The petitioner is apprehending arrest in connection with Goraul (Karthara O.P.) P.S. Case No. 76 of 2023 instituted under Sections 328, 379/34 of the Indian Penal Code lodged on 26.2.2023 by the informant, Vijay Rai.

3. As per the prosecution story, the informant has alleged that while the informant at Mahua Bazar with E-Rickshaw waiting for passengers, two persons came there and boarded for Jalalpur and when the E-Rickshaw reached canal, his mouth was shut with handkerchief, he became unconscious and on regaining consciousness at Mahua hospital, found the E-Rickshaw has been taken away. Accordingly, the FIR.

4. At the outset, learned APP pointed out that while



paragraph-3, it has been stated that the petitioner do not have criminal antecedent, the impugned order of the learned Sessions Judge, Vaishali at Hajipur clearly shows that against him Muzaffarpur Sadar P.S. Case No. 22 of 2023 is lodged.

6. Considering the aforesaid submission that there is glaring suppression of fact that despite the criminal antecedent that has been incorporated in the learned Sessions Judge's order, the para-3 shows that the petitioner do not have criminal antecedent.

7. In that background, the petitioner does not deserve relief. Accordingly, the anticipatory bail application stands rejected.

(Rajiv Roy, J)

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