

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9927 of 2025

Arising Out of PS. Case No.-175 Year-2023 Thana- NAGAR District- Vaishali

Raj Kumar @ Mental S/o Ashok Sah Resident of village - Adalpur, ward no. 14, P.S.- Hajipur Sadar, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar Roy, Adv. Mr. Hemant Ray
For the Opposite Party/s	:	Mr. Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 25-02-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Nagar P.S. Case No. 175 of 2023 registered for the offence punishable under Sections-447, 341, 323, 307, 354, 379, 504/34 of the Indian Penal Code and 27 of the Arms Act.

3. Allegedly, in the backdrop of petty feud, the accused persons came at the house of informant and started abusing and on protest, they started assaulting him by means of fist and slaps and started brick batting. Firing is also said to have been made in the occurrence.

4. Learned counsel for the petitioner has submitted that he is simply a victim of false implication due to oblique and



ulterior motive. There is delay of one day in lodging of F.I.R. and no satisfactory explanation has been given. The petitioner has been made accused on the basis of general, omnibus, vague and sweeping allegation. Nothing incriminating has been recovered from possession of the petitioner.

5. Learned counsel appearing for the State has opposed the prayer for bail.

6. It appears that the prayer for anticipatory bail of the co-accused has been rejected by this court by order dated 24-11-2023 passed in Cr. Misc. No. 82228 of 2023 and the case of the petitioner is on worse footing to that of co-accused.

7. Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner and accordingly, the same is rejected.

8. However, if the petitioner surrenders before the court below and seeks regular bail, the same shall be considered on its own merit, preferably, on the same day without being prejudiced by this order.

(Nawneet Kumar Pandey, J)

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