

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46333 of 2025

Arising Out of PS. Case No.-98 Year-2025 Thana- GARKHA District- Saran

Vijay Kumar @ Vijay Rai, S/o Late Nageshwar Rai, Resident of village-
Paharpur, P.S- Garkha, Distt.- Saran (Chapra)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arun Kumar Rai, Advocate
For the State	:	Mr. Pramod Kumar Pandey, APP
For the Informant	:	Mr. Ram Binod Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 18-11-2025 A counter affidavit has been filed by the learned
Advocate for the informant, which is taken on record.

2. Heard learned Advocate for the petitioner and the
learned APP for the State. The informant is represented through
Mr. Ram Binod Singh, learned Advocate.

3. The petitioner is apprehending his arrest in
connection with Garkha P.S. Case No. 98 of 2025 registered for
the offences punishable under Sections 126(2), 115(2), 117(2),
308(2), 324(4), 324(5), 303(2), 109, 352 and 3(5) of the
Bharatiya Nyaya Sanhita, 2023.

4. Allegedly when the informant reached his Godown
situated at Paharpur, in the meanwhile, the petitioner along with
two others came there and started abusing and threatened to pay



a Rangdari of Rs.5,00,000/-. When the same was resisted, the accused persons further came along with spade and Bamboo. On the exhortation of the petitioner, other two accused persons brutally assaulted the informant, due to which he sustained fracture injury on his leg.

5. Learned Advocate for the petitioner referring to the F.I.R. contended that save and except the petitioner, alleging to be an order giver, has not participated in the crime. The injury, which is said to be grievous in nature, caused to the informant, the same has not been attributed to the petitioner. There is a counter version of the present case, being Garkha P.S. Case No. 99 of 2025, against the informant and others. There is pending land dispute and false implication of the petitioner cannot be ruled out.

6. On the other hand, learned APP for the State and the informant vehemently opposed the bail application and submit that besides the fact the petitioner has suppressed two criminal antecedent, the petitioner all along carrying nine criminal antecedent. To support the aforesaid contention, a counter affidavit has also been filed. It is further contended that it is the petitioner, on whose dictate the entire incidence took place, due to which the informant sustained grievous injury.



7. Having considered the submissions set forth by the learned Advocate for the respective parties and taking note of the criminal antecedent and the active participation of the petitioner, this Court is not acceded to the prayer of the petitioner for grant of anticipatory bail. Accordingly, the same stands rejected.

(Harish Kumar, J)

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