

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50903 of 2025

Arising Out of PS. Case No.-471 Year-2024 Thana- BIHTA District- Patna

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Ravi Kant Kumar @ Dhiraj Singh @ Balajee Son of Sri Pramod Kumar Singh
Resident of Village - Kanchanpur, P.S.- Bihta, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Sinha

For the Opposite Party/s : Mr.Anita Kumari

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner who apprehends arrest in connection with Bihta P.S. Case No. 471 of 2024, lodged on 27.05.2024, for the offences punishable under sections 341, 323, 324, 307, 504, 506/34 of the Indian Penal Code.

3. As per the prosecution, the F.I.R. has been lodged against seven named accused persons, including the petitioner. It is alleged that on the date of the incident, the petitioner, along with other co-accused persons, assembled at the house of the informant and started abusing her. When the informant protested, the petitioner allegedly assaulted her by catching hold of her hair and tearing her clothes, thereby making her naked. When the husband of the informant came to her rescue, the



petitioner and co-accused Harsh Raj @ Narayan Jee, armed with lathi, khanti, danda, and bhala, assaulted him with the intention to kill.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He contends that the accusations in the FIR are cosmetic and have been fabricated due to a prior dispute over the Tubewell Pump and water tank under the 'Nal Jal Yojna, which was installed in front of the informant's house and controlled by her. The informant allegedly used the said Tubewell for her personal purposes, including irrigation of her field, as per her own choice. This was opposed by the petitioner, and in that background, the present FIR has been lodged with frivolous allegations. Counsel further submits that no weapon was used in the alleged occurrence; rather, the assault took place by means of hand blows. The husband of the informant is said to have sustained a lacerated wound and swelling, allegedly due to falling on the ground. The doctor opined that the injury was caused by a hard and blunt substance. Moreover, there is no specific allegation in the FIR directly attributing a role to the petitioner that satisfies the ingredients of Section 307 IPC. It is submitted that, for an offence under Section 307 IPC, the



intention or knowledge of the accused must be such as would be necessary to constitute murder. Without such intent or knowledge, no offence under Section 307 IPC can be made out. Hence, the offence under Section 307 IPC is not attracted in the present case. It is further submitted that although the petitioner is accused in one more criminal case, he has already been granted bail in that matter.

5. Learned APP for the State opposes the prayer for bail.

6. In this background, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner in connection with Bihta P.S. Case No. 471 of 2024, pending before the learned ACJM-II, Danapur is hereby rejected.

7. However, if the petitioner surrenders before the Trial Court within six weeks from today, the Trial Court is directed to pass an order on his surrender-cum-bail application on the same day, without being prejudiced by the fact that the petitioner's anticipatory bail has been rejected by this Court.

(Dr. Anshuman, J)

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