

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74061 of 2024

Arising Out of PS. Case No.-87 Year-2024 Thana- PIPRA District- East Champaran

Vijay Rai @ Vijay Kumar Prasad Yadav S/o Late Singhesar Rai R/o Village-
Bherakhiya, P.S.- Pipra, District- East Champaran at Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Krishna Kant Singh
For the Opposite Party/s :	Mr. Lalan Kumar
For the Informant	Mr. Abhishek Kumar
	Mr. Hemant Ray

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

4 27-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Pipra P.S. Case no. 87 of 2024 instituted for the offence under Sections 341, 323, 324, 307, 504, 506, 379 and 354/34 of the Indian Penal Code.

3. As per allegation in the FIR, on 18.3.2024 when informant's husband was going to Pakridayal and reached near Bandh, all FIR named accused persons, came out and petitioner intercepted him and on his order, accused Avnish Kumar assaulted him by means of iron rod on his head and this petitioner dashed his head against the Banyan tree. Accused



Shyamakant Rai assaulted him by means of lathi on his head and back. Local villagers informed about the occurrence to his wife/informant. She rushed towards the place of occurrence to save her husband. Accused Ranjit Kumar, tossed her down and dragged her by catching locks of her hair and accused Bihari Rai assaulted her by fists and kicks on her stomach. With intention to kill the informant's husband, petitioner again gave dagger blow on his head as a result of which he received cut injury and he snatched Rs. 1000/- from his pocket and took out his golden ring. With the help of villagers, he was brought to hospital for treatment and thereafter the FIR.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case due to dirty village politics.

5. Learned APP appearing for the State and learned counsel for the informant have opposed the prayer of Bail. Learned counsel for the informant has submitted that petitioner is order giver and all the accused persons had common intention to kill the informant's husband. Petitioner has repeatedly assaulted him by means of dagger. Injury report is at page 7 of the case diary which suggests that injured has received injury on



head, which is a vital organ. Subdural hematoma is seen in right temporal-parietal region measuring about 7 mm in thickness. Supervision note is at para 23, in which it is mentioned that I.O. has found the allegation against the petitioner is true. Investigation is still going on in this case.

6. Having heard learned counsel for the parties and considering the fact there is specific allegation of order giving and repeated blow against this petitioner, this Court is not inclined to enlarge the petitioner on bail.

7. Accordingly, this application stands rejected.

(S. B. Pd. Singh, J)

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