

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37576 of 2013

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Baidyanath Yadav, S/O Late Satya Narayan Yadav, resident of village-
Akonama, P.S- Kusheshwar Asthan, District- Darbhanga.

.... Petitioner/s

Versus

The State Of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No. 3, Advocate.

For the Opposite Party/s : Mr. Dilip Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 24-12-2013

Heard learned counsel for the parties.

Having regard to the fact that the petitioner is facing allegation for the offence punishable under Sections 147, 341, 342, 328, 307 and 379 of the Indian Penal Code which get support not only in Paragraph 29 of the case diary in the statement but is also corroborated from corresponding injury report (Annexure-2) suggesting poisoning of the victim by the injured victim himself, this Court, therefore, would not be inclined to grant anticipatory bail to the petitioner.

The submission of the learned counsel for the petitioner that there was an earlier attempt on the part of Smt. Aruna Devi a member of school education committee and the Bhabhi of this petitioner, for dislodging the injured victim the headmaster of school by way of seeking his transfer from the school, has resulted into lodging of the present false First Information Report by the wife of the victim, would also not be worth acceptance for a simple reason that whatever may have happened in the month of January 2012 when such application

was filed by Smt. Aruna Devi seeking transfer of the victim i.e. the husband of the informant could not have resulted into this faking of an incident after one year in which life of victim was sought to be taken away even when such desired transfer of victim by Aruna Devi did not actually take place. In any event there being sufficient direct material against the petitioner and other accused persons for constituting an offence under section 307 of the penal code, this Court is not inclined to grant anticipatory bail to the petitioner.

That being so, the prayer for grant of anticipatory bail to the petitioner is rejected.

(Mihir Kumar Jha, J)

Sujit/-