

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18344 of 2015

Arising Out of PS.Case No. -205 Year- 2014 Thana -BELHAR District- BANKA

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RAJEEV YADAV S/O UMESH YADAV RESIDENT OF VILLAGE-
KHAROUNDHA, POLICE STATION- BELHAR, DISTRICT- BANKA.

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Parmanand Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA

ORAL ORDER

3 25-06-2015 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Belhar P.S. Case No. 205 of 2014 registered under Sections 341, 323, 324, 302 and 504/34 of the Indian Penal Code pending in the court of J.M. Ist Class, Banka.

The accusation is that Gauri Devi, mother of informant was going towards her Khalihan but in the way petitioner and Biin Yadav objected her to go through their field. On making protest by Gauri Devi, she was abused. At that time, Umesh Yadav, Puran Yadav, wife of Umesh Yadav and wife of Munna Yadav came there and started abusing and assaulting to the mother of the informant. On raising alarm, when brother of the

informant Ramesh Yadav came to save his mother then petitioner along with others assaulted them through Lathi and rod causing serious injuries. Mother and brother of the informant were rushed to the hospital for their treatment where mother of the informant was declared dead.

Learned counsel for the petitioner submits while the petitioner is named in the F.I.R. but no specific overt act has been alleged against him. It is further submitted that petitioner has no criminal antecedent.

Having considered the facts and circumstances of the case and the nature of allegation, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer of the petitioner for grant of anticipatory bail stands rejected. The petitioner is directed to surrender before the trial court within four weeks and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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