

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 47565 of 2015

Arising Out of PS.Case No. -158 Year- 2015 Thana -CHARPOKHARI District- BHOJPUR

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Ranjan Yadav Son of Dinesh Yadav, Resident of Village - Siadih, Police
Station - Charpokhari, District - Bhojpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

3 02-11-2015

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner apprehends arrest in Charpokhari
P.S. Case No. 158 of 2015 dated 01.06.2015 instituted under
Sections 147/341/323/324/307/379/504/506 of the Indian
Penal Code.

Learned counsel for the petitioner submits that
there was altercation between two sides for which there is also a
counter case earlier in time. It is submitted that the other side
was the aggressor as it was wanting the petitioner side to
compromise the earlier case being Charpokhari P.S. Case No. 31
of 2008 in which the informant and others are facing trial for
murdering the grandson of main accused Bali Yadav. Learned
counsel submits that the injury is simple in nature and the
petitioner having clean antecedent is also a student.

Learned A.P.P. opposes the prayer for

anticipatory bail and submits that the petitioner has been accused of making blow near the eye with a spear and the same is corroborated by the injury report in which it has been opined that the wound near the eyes has been caused by sharp cutting weapon. Learned counsel further submits that the plea that there is also a counter case cannot help the petitioner as he has been accused of a specific overt act on the head with a sharp cutting weapon which has been corroborated by the injury report.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on anticipatory bail.

The application, accordingly, stands dismissed.

However, in the event the petitioner surrenders and prays for regular bail before the Court below, the same shall be considered on its own merits in accordance with law without being prejudiced by the present order.

(Ahsanuddin Amanullah, J.)

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