

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21985 of 2015

Arising Out of PS.Case No. -1 Year- 2015 Thana -AKBARPUR District- NAWADA

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Bhola Yadav. Son of Late Hari Yadav. Resident of village - Madhopur,
P.S.- Akbarpur, District - Nawada.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Mishra

For the Opposite Party/s : Mr. Harendra Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 08-10-2015 Heard both sides.

The petitioner apprehends his arrest in Akbarpur P.S.
Case No. 01/2015, registered for the offences punishable under
Section 302 and other sections of the Indian Penal Code.

The informant Binod Yadav alleged that petitioner
Bhola Yadav and five others entered into his house and
indiscriminately assaulted the informant and his father. His father
fell down on the ground after being assaulted and died.

It is submitted that Pokhan Yadav was an old man and
he was suffering from different ailments. The postmortem report
shows no external or internal injuries on the body of the deceased
except one swelling on the body. Six persons are alleged to have
assaulted, but only one injury was found on the head of the

deceased Pokhan Yadav. Similarly situated co-accused Mathura Yadav and Ramdhani Yadav have already been enlarged on Regular Bail by order passed in Cr. Misc. No. 30326/2015.

Learned APP however, vehemently opposed the prayed for anticipatory bail.

It appears that the informant made allegation of assault against all the six persons. Of course, the father of the informant got only one injury on occipital region and on account of which he died, but there is allegation against the petitioner that he also assaulted the deceased.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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