

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5819 of 2015

Arising Out of PS.Case No. -591 Year- 2014 Thana -BHABHUA District- BHABHUA (KAIMUR)

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Shanker Yadav @ Shankar Yadav, Son of Mallu Yadav, Resident of
Village - Thodi, P.S. Sonham, District - Kaimur

.... 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 PRABHAT KUMAR JHA

ORAL ORDER

2 11-02-2015

Heard both sides.

The petitioner apprehends his arrest in a case registered under Section 307 and other sections of the Indian Penal Code.

The informant alleged that on the order of Mohan Pandey, Shankar Pandey, the petitioner, assaulted the informant with Gadasa on his head and thereafter other accused persons are alleged to have assaulted the informant and also took out money from his pocket.

Learned counsel for the petitioner submits that the petitioner is innocent and he has falsely been implicated. During the course of investigation, it has come that the informant himself is a bad man, who is used to abuse the villagers. On account of the assault made by the petitioner, simple injury is found on the head

of the informant.

On perusal of the record, it appears that the informant made a very specific allegation against the petitioner that he assaulted the informant with Gadasa on his head and corresponding injury is found. Hence, I am not inclined to enlarge the petitioner on anticipatory bail in Bhabua (Sonhan) P.S. Case No. 591/2014. Accordingly, the prayer is rejected.

The petitioner is directed to surrender in the court below and make prayer for regular bail. The court below shall consider the prayer for regular bail of the petitioner on its own merit in accordance with law without being prejudiced by this order.

(Prabhat Kumar Jha, J)

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