

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45970 of 2015

Arising Out of PS.Case No. -36 Year- 2015 Thana -JAMALPUR District- DARBHANGA

1. Yogendra Yadav, son of Late Ghushan Yadav, resident of Village-Shrivia, P.S.- jamalpur, District- Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Yadav, Adv

For the Opposite Party/s : Mrs. Rita Verma (App)

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 03-11-2015 Heard learned counsel for the parties.

Learned counsel for the petitioner, prays for and is allowed to make correction in the cage column as with regard to the address of the petitioner.

Having regard to the nature of allegation against the petitioner for the offences punishable under Sections-307, 323, 341, 354, 448, 504/34 of the Indian Penal Code, and the fact that repeated blows given by petitioner by Lathi has caused injury on not only his brother, Lalsar Yadav but also on his niece Chandauli Kumari, this Court does not find the reasoning given by the Court below in

rejecting the prayer of anticipatory bail of the petitioner, while allowing the prayer of co-accused Gursharan Yadav against whom there was allegation of single assault and the resultant injury was also found to be simple to be bad in any manner.

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

Nonetheless, the petitioner will definitely have a right to seek regular bail, therefore, if the petitioner would surrender before the Court below and make a prayer for regular bail, his case would be decided on its own merits without being prejudiced by anything said in this order.

(Mihir Kumar Jha, J)

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