

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.901 of 2015

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Bhetra Yadav, Son of Late Taro Yadav, Resident of Village – Khutiya, P.S.
– Mansi, District – Khagaria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 09-01-2015

Heard both sides.

The petitioner Bhetra Yadav apprehends his arrest in Mansi P.S. Case No. 68 of 2014, registered for the offences punishable under Section 302 and other Sections of the Indian Penal Code.

Sarjan Devi, the informant, made allegation that on account of some altercation Hira Lal Yadav began to abuse her. Prakash Yadav when asked him not to abuse, Hira Lal Yadav assaulted Prakash Yadav on his head. The petitioner is alleged to have assaulted the informant Sarjan Devi.

Learned counsel for the petitioner submits that the petitioner is not the assailant of the deceased Prakash Yadav. Sarjan Devi was not examined by any doctor. No case under Section 302 of the Indian Penal Code is made out.

Of course, it appears that the petitioner is not the assailant of the deceased but there is allegation that he assaulted the informant, hence, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

However, the petitioner, if so advised, may surrender before the court below and pray for regular bail and his prayer shall be considered on its own merit without being prejudiced by this order and taking into consideration the submission of the learned counsel for the petitioner.

(Prabhat Kumar Jha, J.)

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