

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39684 of 2015

Arising Out of PS.Case No. -179 Year- 2014 Thana -BARACHATTI District- GAYA

Komal Yadav Son of sohar Yadav resident of village- Hadiya Dag, P.s
Mohanpur ,District Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Dhirendra Kumar

For the Opposite Party : Mr. Sadanand Paswan(Spl.Pp)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 01-02-2016 Heard learned counsel for the petitioner and learned
counsel for the State

The petitioner is apprehending his arrest in connection with Barachatti (Mohanpur) P.S. Case No. 179 of 2014 pending in the Court of SDJM, Sherghatti, District-Gaya for the offences instituted under Sections 147, 148, 149, 447, 504, 323 and 307 of the Indian Penal Code and Sections 3(x)(x) of the SC/ST Act.

As per prosecution case the informant and his family members were beaten by the accused persons in the background of putting pressure upon them to execute their land which was mortgaged by the informant to the accused Ganauri Yadav.

It has been submitted on behalf of the petitioner that the petitioners has got no criminal antecedent. Petitioner has falsely

been implicated in the case due to previous enmity. From perusal of the injury report, it would appear that the doctor had not given a final opinion in respect to the nature of injury.

On behalf of the State, it has been submitted that the petitioner is named in the FIR and there is a specific allegation against him to assault the informant on his head by *garasa*.

Considering the aforesaid facts and circumstances of the case, I am not inclined to release the above named petitioner on anticipatory bail, the same is rejected.

Anyhow, if the petitioner surrenders in the court below within a period of four weeks, the same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

B.Kr./-

U		T	
---	--	---	--