

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20865 of 2016

Arising Out of PS.Case No. -204 Year- 2015 Thana -KHODAWANPUR District- BEGUSARAI

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Umesh Yadav Son of Budhu Yadav, Resident of village- Aijani, P.S.-
Khodabandpur (Chhourahi O.P.), District- Begusarai

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Shashi Dhar Jha, Advocate.

For the Opposite Party : Mr. Binod Kumar-Ii(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 19-07-2016 Heard both sides.

The petitioner apprehends his arrest in Khodabandpur (Chhourahi O.P.) P.S. Case No. 204 of 2015 registered for the offences punishable under Sections 147, 149, 341, 148, 323, 325, 307, 447, 379, 427 and 506 of the Indian Penal Code.

The informant named the petitioner along with other accused persons and alleged that they all started breaking the house when the informant objected the petitioner Umesh Yadav assaulted the informant Dharmendra Yadav with iron rod on his head.

It is submitted that the injury found on the head is caused by sharp cut weapon whereas the petitioner is alleged to have assaulted with iron rod and the injury is simple in nature.

Other accused persons have already been granted anticipatory bail.

Considering the facts aforesaid and the fact that there is allegation against the petitioner that he assaulted with iron rod on the head of the informant, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

However, the petitioner, if so advised, may surrender before the court below within four weeks from the date of receipt/production of a copy of this order and pray for regular bail, his prayer shall be considered on its own merit without being prejudiced by this order and taking into consideration that there is no repetition of blow, the injury caused by the petitioner is simple in nature, other accused persons have already been granted anticipatory bail and dispose of the bail petition on the same day.

(Prabhat Kumar Jha, J.)

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