

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42807 of 2016

Arising Out of PS.Case No. -80 Year- 2016 Thana -BIHRA District- SAHARSA

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Sanoj Yadav Son of Late Grish Yadav resident of Village- Bisanpur, P.S.-
Bihra, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Sri Braj Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 28-11-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with

Bihra P.S. Case No. 80 of 2016 registered under Section- 307 &

other minor sections of the Indian Penal Code.

There is specific allegation against the petitioner

that he gave spade blow, causing injury on the elbow of the

injured Fulchand Yadav. The injury report of injured Fulchand

Yadav goes to show that he sustained grievous injury on his

elbow.

No doubt, there is case and counter case between

the parties and the alleged occurrence is said to have taken place

on account of land dispute but in my view it is not a fit case for

grant of anticipatory bail.

Accordingly, prayer for anticipatory bail filed on behalf of the petitioner stands rejected.

However, it is made clear that if, petitioner surrenders and seeks regular bail within four weeks within a week from the date of receipt/production of copy of the order, the concerned court shall consider the regular bail application of the petitioner on its own merit without being prejudiced by this rejection order, particularly, keeping in mind that some co-accused have already been granted privilege of anticipatory bail by a coordinate bench of this court.

A.K.V./-

(Hemant Kumar Srivastava, J)

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