

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 23514 of 2017

Arising Out of PS.Case No. -109 Year- 2016 Thana -PARBATTa District- BHAGALPUR

=====

Jaijeet Yadav, S/o Gulo Yadav @ Raghunandan Yadav, resident of Village- Jagatpur, P.S. Parabtta, District- Bhagalpur.

... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Dharmeshwar Pandey and Mr. Satyendra Pandey, Advocates
For the State	:	Mr. Uday Pratap Singh, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 13-07-2017

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in Parbatta P.S. Case
No. 109 of 2016 dated 08.11.2016 instituted under Sections
341/323/504/384/386/387 of the Indian Penal Code.

3. The allegation against the petitioner, who is the
owner of a cattle fair is of forcibly trying to make the driver of the
truck unload the animals in his fair. It is further alleged that such was
forcibly done by the petitioner along with his henchman armed with
various weapons.

4. Learned counsel for the petitioner submitted that he



was not at the spot, and only due to enmity he has been made an accused and that a few years back, he had made allegation against the local police, who were demanding money and due to such reason he has been implicated in this case. Learned counsel submitted that even otherwise, he being the owner was not required to be at the spot and whatever may have happened for the same, the petitioner cannot be held responsible.

5. Learned A.P.P. submitted that the person, who has been caught has disclosed that the petitioner was also present there and further it is quite natural that the petitioner would use force to ensure that the animals are unloaded in his fair so that he can earn money from such trade. Learned counsel further drew the attention of the Court to the fact that the petitioner is accused in five other cases under serious sections of the I.P.C. including Section 307 and further under the Arms Act also right from the year 2007.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on anticipatory bail.

7. Accordingly, the application stands dismissed.

8. However, in the event the petitioner surrenders and prays for regular bail before the Court below within three weeks from today, the same shall be considered on its own merits, in



accordance with law, without being prejudiced by the present order.

(Ahsanuddin Amanullah, J.)

P. Kumar

AFR/NAFR	
U	
T	

