

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38148 of 2017

Arising Out of PS.Case No. -13 Year- 2017 Thana -PAWNA District- BHOJPUR

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Janeshwar Yadav @ Janeshwar Singh Son of Late Vishwanath Yadav,
Resident of Village-Khopira (Pali Dhibar) Police Station Pawna District-
Bhojpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aditya Nath Pandey, Advocate

For the Opposite Party/s : Mr. Atul Chandra, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 17-08-2017 Heard learned counsel for the petitioner and learned counsel
for the State.

The petitioner apprehends his arrest in connection with
Pawana P.S. Case No. 13 of 2017 registered for the offences
punishable under Sections 147, 148, 149, 323, 337, 379 and 302,
of the IPC.

Allegation as per FIR is that on 18.03.2017, this petitioner
and other accused persons armed with lathi and iron rod came and
started abusing and assaulting the father of informant as a result
of which his father became unconscious and subsequently died.

Learned counsel for the petitioner submits that there is a
dispute between the informant and family members of co-accused.
The petitioner along with other accused had gone to settle the land



dispute. He further submits that there is no allegation of any specific overt act against this petitioner and so they deserve anticipatory bail.

Learned counsel for the informant as well as Additional Public Prosecutor opposed the aforesaid submission.

Considering the allegation of assault by this petitioner, I am not inclined to grant him anticipatory bail. However, it is observed that if he surrenders before the Court below and prays for regular bail, it shall be considered by the Court below without being prejudiced by the order of this Court.

With the above observation, this application is dismissed.

(Sanjay Kumar, J)

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