

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21265 of 2018

Arising Out of PS.Case No. -130 Year- 2017 Thana -KHAIRA District- JAMUI

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Biranchi Yadav, Son of Jhari Yadav, Resident of Village- Neemanawada,
P.S.- Khaira, District- Jamui.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prakash Mahto

For the Opposite Party/s : Mr. Ramchandra Singh

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 27-04-2018 Heard the learned counsel for the petitioner, the

learned A.P.P. for the State as also the learned counsel for the

informant.

In this application for anticipatory bail the petitioner
apprehends his arrest in connection with Khaira P.S. Case No. 130
of 2017 for the offences punishable under sections 341, 323, 324,
307, 504 and 379/34 of the I.P.C.

Allegedly, the petitioner with an intention to kill gave
sword blow on the neck of Sakaldeo Yadav which hit his head
causing serious injury and bleeding resulting Sakaldeo Yadav fell
down.

Submission is of false implication and that there is no
allegation for repeating the blow, no offence under section 307 of



the I.P.C. is made out, there is case and counter case, the fardbeyan lodged by the petitioner's side is of earlier time, the petitioner has got no criminal antecedent and as such he deserves sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for pre-arrest bail of the petitioner by submitting that grievous injury has been found on the person of Sakaldeo Yadav which is evident from Annexure-2 of the bail petition itself.

In the facts and circumstances stated above, considering the allegation and nature of the injury, I am not inclined to grant privilege of pre-arrest bail to the petitioner and accordingly his such prayer stands rejected in connection with the aforementioned case pending in the court of C.J.M. Jamui.

(Jitendra Mohan Sharma, J)

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