

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31053 of 2018

Arising Out of PS.Case No. -403 Year- 2017 Thana -PUNPUN District- PATNA

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Dharmendra Yadav, Son of Naresh Yadav, resident of village- Pothahi,
P.S.- Punpun, District- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar, Advocate.
For the informant : Mr. Sheo Nandan Pandit, Advocate.
For the Opposite Party/s : Mr. Asharaf Ansari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 02-07-2018 Heard learned counsel for the petitioner, learned
counsel for the informant and the State.

The petitioner apprehends his arrest in **Punpun P.S.**
Case No. 403 of 2017 instituted for the offence under Sections
147, 148, 149, 341, 323, 307, 302 and 504 of the Indian Penal
Code.

In the written report it is alleged that on the date of
occurrence petitioner along with other accused persons as named
in the written report armed with *lathi*, *danda*, *fasuli* etc. came on
the land of the informant and assaulted father of the informant
with *lathi*, *danda* and *Fasuli*., The father of the informant was
brutally assaulted on account of which he sustained serious injury
and fell down on the land and subsequently died in the way while



he was being taken to hospital.

Learned counsel for the petitioner has submitted that both parties are co-sharers of the land in dispute. There is no specific allegation against the petitioner.

Learned counsel for the informant has appeared and submitted that petitioner and other accused persons have brutally assaulted the deceased on account of which he died. It is mentioned in the written report that deceased died while he was being taken to Hospital.

Case diary has been received.

Learned A.P.P. after looking into the case diary has submitted that all the witnesses in the case diary have supported the case of the prosecution. Postmortem report is available in the case diary wherein the Doctor has found several injuries on the persons of the deceased and opined the cause of death on account of several injuries.

Therefore, this Court is not inclined to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner stands rejected.

Petitioner may surrender before the court below and make prayer for regular bail which shall be considered by the



court below in accordance with law without being prejudiced by
this order.

S.Ali/-
Rohit Kr.

(Sanjay Priya, J)

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