

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47339 of 2018

Arising Out of PS.Case No. -12 Year- 2018 Thana -BAGAIINGOLA District- BUXAR

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Birbal Yadav S/o Mahendra Singh Resident of Village - Barahi Tola
Chhapra, P.S. - Bagen Gola, District Buxar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Gupta

For the Opposite Party/s : Mr. Sri Bharat Lal

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 08-10-2018 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

This is an application for grant of anticipatory bail

in connection with Bagen Gola PS case no. 12 of 2018 registered

for the offences punishable under Sections 341, 323, 504, 506,

379, 307/34 of Indian Penal Code.

The case of the prosecution is that the petitioner

herein and others had assaulted the injured persons including the

informant and as far as the petitioner is concerned, he is said to

have assaulted one Hridyanand Singh with iron rod resulting in

grievous injury to him.

The learned counsel for the petitioner has submitted

that the FIR has been lodged after 05 days of the incident, hence



there is no truth in the prosecution story. It is further submitted that the petitioner is having a clean antecedent.

Per contra, the learned APP for the State has submitted that Hridyanand Singh has received grievous injury as has been certified by the Medical Officer, P.H.C., hence no case is made out for grant of anticipatory bail to the petitioner herein and at best, the present case can be said to be a case of grant of regular bail.

Having regard to the facts and circumstances of the case and considering the materials on record including the materials available in the case diary and the opinion of the doctor, this Court finds that the present case is not a case for grant of anticipatory bail.

Accordingly, the present petition is dismissed.

(Mohit Kumar Shah, J)

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