

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4441 of 2018

Arising Out of PS. Case No.-479 Year-2017 Thana- BARBIGHA District- Sheikhpura

Gopal Kumar S/o Jangali Sao @ Jageshar Prasad, R/o Gola Par, (Barbigha),
Ward No. 9, P.S.- Barbigha, District- Sheikhpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar

For the Opposite Party/s : Mr. Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 28-02-2018 Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Barbigha
(Mission O.P.) P.S. Case No. 479 of 2017 instituted for the
offence under Sections 302/34 of the IPC.

As per written report, there is specific allegation
against this petitioner of assaulting the father of the informant
on head on account of which he became injured. Thereafter, son
of the accused Ganit Yadav pushed him down and he along with
Jangli Sao assaulted his father by brick on the chest and other
part of his body on account of which he became senseless.
Thereafter, he was taken to hospital. The case diary has been
received, wherein, post-mortem report is available. The doctor
has opined cause of death due to injury on head.

Learned counsel for petitioner has submitted that



prosecution witnesses have stated that the father of informant fell down in scuffle which caused head injury to him.

The Court finds that there is direct allegation against the petitioner in the written report which gets support from post-mortem report. Therefore, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

Accordingly, this anticipatory bail petition stands rejected.

(Sanjay Priya, J)

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