

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3302 of 2019**

Arising Out of PS. Case No.-242 Year-2017 Thana- CHHATAPUR District- Supaul

Sanjay Yadav S/o late Rambilas Yadav R/o Village- Khunti, P.S. Chhatapur,
District- Supaul.

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun

For the Opposite Party/s : Mr. Narsingh Tanti

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER**

2 01-05-2019 Heard both sides.

The petitioner apprehends his arrest in Chhatapur P.S.
case No. 242 of 2017 registered under Section 147, 148, 149,
341, 323, 397, 307, 504 and 506 of the IPC.

The learned counsel for the petitioner submits that
prayer of petitioner for anticipatory bail was earlier permitted to
be withdrawn after some argument vide order dated 09.04.2018
passed in Cr. Misc. No. 17920 of 2018. It is submitted that the
learned counsel for the petitioner withdrew the case after some
argument but the petitioner again filed the petitioner for
anticipatory bail because the case has been compromised. It is
submitted that there is counter version being Chhatapur P.S.
case No. 241 of 2017 and the case of the petitioner was lodged
in earlier point of time. Satya Narayan Thakur was examined on



02.07.2017 and the doctor found three injuries on his body out of which injury No.3 is grievous in nature. The petitioner is an advocate. There is admitted land dispute between the parties. Hence, the petitioner be enlarged on anticipatory bail.

It appears from perusal of the FIR that informant along with his Manager, Satya Narayan Thakur, went to the field with tractor to plough his land but the petitioner along with other accused persons, having armed with different weapons, was present there. On the order of petitioner, Anil Yadav and Raghu Yadav dragged the son of informant from the seat of tractor. Jai Prakash Yadav snatched key of the tractor and the accused persons started assaulting him. Giranand Yadav having pistol in his hand came and threaten the son of informant to kill. He also disclosed that he has already come out from jail after serving sentence. Giranand Yadav snatched chain made of gold from the neck of son of informant. Sanjay Yadav, the petitioner, again ordered to kill the informant and his Manager. On such, Ginand Yadav, Anil Yadav, Kewan Yadav rushed. Sanjay Yadav, the petitioner, assaulted Satya Narayan Thakur with Farsa on his head but the blow hit on the left hand of Satya Narayan Thakur. Bachha Yadav assaulted Satya Narayan Thakur with iron rod on his another hand and the accused persons put him down on the



ground. Thereafter, the petitioner and Giranand Yadav tied rope around the neck of Satya Narayan Thakur and started dragging him. On alarm, many villagers came. It appears that on account of assault made by the petitioner grievous injury was caused to Satya Narayan Thakur and on consideration of the aforesaid facts, the prayer for anticipatory bail of the petitioner was permitted to be withdrawn but again the petitioner moved for anticipatory bail. The doctor found the injury around the neck caused by rope to be grievous and it was the petitioner who dragged Satya Narayan Thakur, Manager of the informant, who is old and infirm, after tying rope around his neck.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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