

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11796 of 2019

Arising Out of PS. Case No.-287 Year-2018 Thana- UDAKISHUNGANJ District-
Madhepura

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Bhupendra Yadav @ Bhupenda Yadav S/o Late Maleshwari Yadav Resident
of Village- Lakshmipur, P.S. - Uda- Kishunganj, District - Madhepura.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pawan Kumar
For the Opposite Party/s : Mr.Zainul Abedin

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 341, 447, 323, 324, 307, 379 and 34 of the Indian Penal Code.

The prosecution case, in short, is that while the informant was engaged in repairing vehicle at his garrage, the accused persons came and badly assaulted him due to which he sustained injury.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The injury is on the non-vital part of the body.



From the order of the Sessions Court, it appears that the injury as per the doctor may be simple in nature. Hence, no offence under section 307 IPC is made out. Rest of the offences are triable by the Magistrate. The matter has already been compromised between the parties as it is evident from the order of the Sessions Court.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. and he has got antecedent.

Considering the same, I am not inclined to grant anticipatory bail to the petitioner. The prayer is rejected. If the petitioner surrenders in the Court below, the same shall be considered and disposed of on its own merit without being prejudiced by this order preferably on the same day.

(Sudhir Singh, J)

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