

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14275 of 2019

Arising Out of PS. Case No.-163 Year-2018 Thana- NARDIGANJ District- Nawada

BIPIN YADAV @ BIPIN KUMAR (Male, aged about 35 years) Son of
Naresh Yadav Resident of Village - Hiraban Bigha, P.S.- Nardiganj, District -
Nawada

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 11-03-2019 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

The petitioners, in the present case, are seeking
anticipatory bail in connection with Nardiganj P.S. Case No.
163 of 2018 registered for the offences under Section 341,
323, 308, 379, 504, 506/34 of the Indian Penal Code
pending in the court of learned Judicial Magistrate, 1st
Class, Nawada.

Learned counsel for the petitioner submits that
even though there are allegations that this petitioner had
given a Khanti blow on the head of the informant which has
caused injury. The fact is that there are allegations of assault
against co-accused also by Lathi & Danda. Those co-



accused have been granted privilege of anticipatory by learned coordinate Bench of this court.

Learned A.P.P. for the State is present and has opposed the prayer for anticipatory bail of the petitioner as according to him the lacerated wound which has been found scalp deep on occipital area of scalp with profused bleeding has been specifically attributed to this petitioner. It is submitted that so far as the co-accused who have been granted anticipatory bail is concerned, the allegations against them are not corroborated by the injury report, therefore, the case of this petitioner is to be treated differently of the case of the co-accused.

Having heard learned counsel for the petitioner and learned A.P.P. for the State, in the given facts and circumstances where there is specific allegation against the petitioner which has been corroborated by the injury report showing that petitioner has assaulted on the vital part of the body and there was a scalp deep injury on the head, this court is not willing to grant benefit of anticipatory bail to the petitioner.

This application is dismissed.



In case, the petitioner surrenders and prays for regular bail in the court below within a period of within a period of four weeks from today, the same shall be considered on it's own merit.

(Rajeev Ranjan Prasad, J)

Rajeev/-

U		T	
---	--	---	--

