

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7221 of 2020

Arising Out of PS. Case No.-136 Year-2015 Thana- UDWANTNAGAR District- Bhojpur

SUNIL YADAV @ SUNIL KUMAR RAI @ SUNIL RAI Son of Raghubar
Yadav @ Vira Yadav @ Raghubir Rai Resident of Village - Masarh, P.S.-
Udwanthnagar, Distt - Bhojpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar, Advocate

For the Opposite Party/s : Mr.Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 02-07-2020 As of now the Courts have not resumed normal physical
hearing, the matter has been listed today for consideration through
Video Conferencing.

The learned counsels are appearing and making
submissions from their residence. The Court Master and Secretary
are also part of this virtual court proceedings from their homes, all
with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the learned
Counsel for the State.

Petitioner apprehends arrest in Udwanthnagar PS Case
No. 136 of 2015 (Sessions Trial No. 20 of 2017) registered under
Sections 341, 323, 324, 325, 307, 379, 354A, 504, 506/34 and 302 of
the IPC.

The informant has alleged assault by three – four persons.
The second part of the allegation is that by means of Garasa the
petitioner has assaulted Braj Mohan Singh. Said Braj Mohan Singh
has subsequently succumbed to his injuries.

Learned Counsel for the petitioner submits that it is out



and out a false case. The police had also not found the case to be true. The Magistrate also had not taken cognizance against the petitioner. It is only during the trial that in deposition of witnesses the name of the petitioner has come. These developments are indicative of falsity of the allegations. Investigation is complete. The petitioner is bound and undertakes to cooperate and to participate in the trial.

Learned APP for the State has submitted that the victim has suffered injury on the head which was the cause of his death.

The allegation against the petitioner is of assault by means of Garasa on the head of the deceased.

Having considered the rival submissions and the gravity of the allegations, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner.

The application is rejected.

(Madhuresh Prasad, J)

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