

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14160 of 2020

Arising Out of PS. Case No.-385 Year-2019 Thana- LAXMIPUR District- Jamui

PREM YADAV Son of Mushahru Yadav Resident of Village- Ojha Dih, P.S.-
Laxamipur, District- Jamui.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Sumiran Rai
For the Opposite Party/s : Mr.Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 08-09-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Shri Anant Kumar-1, learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Laxamipur P.S. Case No. 385 of 2019 for the offence registered under Sections 341, 323, 308 and 504 of the Indian Penal Code.

The case of the prosecution in brief is that on 15.10.2019 at about 10:00 A.M. in the morning, the informant had gone towards Ojha orchard along with his goat for the purposes of grazing the goat and when he was passing through the field of the petitioner herein, the petitioner had abused the informant



and had hit the informant on his head by a stick (lathi).

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and is having a clean antecedent. It is further submitted that on account of previous enmity, the petitioner has been falsely implicated in the present case.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having heard the learned counsel for the parties and having considered the materials on record as also having gone through the injuries and the injury report, this Court is of the view that since a prima facie case is definitely made out against the petitioner herein for the offence alleged and moreover the informant has sustained grievous injuries, the present case is at least not a case for grant of anticipatory bail, hence the present petition stands dismissed.

(Mohit Kumar Shah, J)

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