

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.18617 of 2020**

Arising Out of PS. Case No.-164 Year-2019 Thana- SAKURABAD District- Jehanabad

1. SINKU YADAV Son of Rajendra Yadav Resident of Village - Fauladpur, P.S.- Shakurabad, Distt - Jehanabad.
2. Rajendra Yadav Son of Shivshankar Yadav Resident of Village - Fauladpur, P.S.- Shakurabad, Distt - Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nitya Nand Neeraj, Adv.
For the Opposite Party/s : Mr.Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 11-09-2020 Heard learned counsel for the petitioner no.1 Sinku Yadav and Dr. Ajeet Kumar, learned A.P.P. for the State.

Petitioner no.1, in the present case, is seeking pre-arrest bail in connection with Sakurabad P.S. Case No. 164/2019 registered for the offence under Sections 341, 323, 308, 379 and 504/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the allegation against the petitioner no.1 is that he had assaulted the grandfather of the informant by a Lathi on his head. Learned counsel submits that the injury found on the scalp of the grandfather of the informant is simple in nature, therefore, the petitioner may be granted privilege of anticipatory bail.

Learned A.P.P. for the State submits that the injury report



of the grandfather of the informant indicates injury on left side of scalp with blood-clot present and doctor advised NCCT of the head while keeping his opinion reserved.

It is submitted that the injury had been specifically attributed to this petitioner and it is on vital part of the body which is fatal to life and, therefore, the petitioner does not deserve privilege of anticipatory bail.

Considering the facts and circumstances of the case, the specific allegation against this petitioner that he had assaulted the grandfather of the informant and the injury report present on the record, I do not find it a fit case to grant privilege of anticipatory bail. Prayer for anticipatory bail of Sinku Yadav (petitioner no.1) is hereby refused.

This application as regards the petitioner no.1 is dismissed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

