

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25689 of 2020

Arising Out of PS. Case No.-80 Year-2020 Thana- BUXAR INDUSTRIAL District- Buxar
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RAJU YADAV Son of Shri Jay Narayan Yadav Resident of Village- Chhotki
Basauli, P.S.- Buxar, District- Buxar.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur
Mr.Nilesh Kumar

For the Opposite Party/s : Mr. Akbar Ali

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

4 23-12-2020 Heard Mr. Ajay Kumar Thakur, learned counsel

for the petitioner and Mr. Akbar Ali, learned APP for the

State.

The petitioner seeks bail in anticipation of his

arrest in connection with Industrial Area (Buxar) P.S. Case

No. 80 of 2020 dated 18.05.2020 instituted for the offences

under Sections 147, 148, 149, 341, 323, 307, 188, 504,

506 and 120 (B) of the Indian Penal Code.

It has been alleged in the First Informant Report

that while the land was being measured, the accused

persons including the petitioner, on the order of the



petitioner, resorted to firing, leading to injuries on four persons of the prosecution party.

Learned counsel for the petitioner while canvassing for anticipatory bail has argued that in the past also, the informant and others had tried to grab the land of the petitioner and other co-villagers and had also, on one occasion, taken control of the drainage belonging to the village of the petitioner. It has been submitted that there was fight between two villages and in the past also, because of the aggressive stance of the informant and others, cases were lodged between the parties.

Apart from this, it has been urged that though four persons are said to have been injured in the occurrence but the injury reports would show that the doctor treating them could not say with certainty whether they were injured by gun shots. The injuries could have been caused, as opined by the doctor, by hard and blunt substance also.

However, regard being had to the fact that the petitioner is the order giver of a case in which four persons have received injuries and that petitioner has criminal



antecedents, I am not inclined to grant anticipatory bail to him.

The prayer for anticipatory bail is rejected.

However, if the petitioner surrenders before the court below and seeks bail, the court below shall take into account all the above noted facts and shall pass orders in accordance with law without being prejudiced by the fact that the present petition has not been entertained.

(Ashutosh Kumar, J)

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