

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81163 of 2019

Arising Out of PS. Case No.-241 Year-2019 Thana- KHAIRA District- Jamui

SHAMBHU YADAV Son of Karu Yadav Resident of Village - Garsanda, P.S.-
Jamui, District- Jamui

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Pramod Kumar

For the Opposite Party/s : Mr.Jagdhari Prasad

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 24-02-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Khaira P.S. Case No. 241 of 2019, registered for the offence punishable under sections 341, 323, 504, 307 and 34 of the Indian Penal Code.

As per allegation in the F.I.R., on the informant attempting to drive away 10-12 buffaloes, which were grazing in the agricultural land of the informant, it is stated that the petitioner, Sanjay Yadav and 2-3 other persons assaulted the informant with iron rod, stick etc. as a result of which he sustained injuries on his head.

It is submitted by learned counsel for the petitioner



that allegations are general and omnibus in nature and from perusal of the FIR it would be evident that there is no specific allegation of assault against the petitioner. It is further submitted that the petitioner has no criminal antecedent.

The application for bail is opposed by learned Additional Public Prosecutor for the State.

Having heard learned counsel for the parties and taking into consideration that from the injury report, brought on record as Annexure-2 to the application, injury nos. 1 and 2 which are incised wound caused by sharp cutting weapon have been found on the scalp of the informant and had been opined to be grievous in nature, this Court is not inclined to enlarge the petitioner on bail and, as such, application for anticipatory bail is rejected. The petitioner is directed to surrender in the Court below within a period of four weeks.

(Partha Sarthy, J)

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