

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12961 of 2021

Arising Out of PS. Case No.-590 Year-2019 Thana- MADHEPURA District- Madhepura

BRAJESH KUMAR SON OF BIJAY YADAV @ BIDO YADAV R/o village-
Barahi, P.S.- Madhepura, Distt.- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha, Adv.

For the Opposite Party/s : Mr. H.A. Khan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 147, 149, 341, 323, 324, 307, 379 of the Indian Penal Code.

Allegation against the petitioner is that he assaulted with spade causing injury at the head of the son of the informant.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case due to land dispute. He submits that there is general and



omnibus allegation levelled against the petitioner. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

However, learned APP for the State opposes the prayer for bail and submits that there is specific allegation against the petitioner.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Madhepura P.S. Case No. 590 of 2019 pending before the court of the learned Chief Judicial Magistrate, Saharsa.

If the petitioner surrenders before the learned court below and pray for regular bail, the same shall be considered by the learned court below on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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