

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32805 of 2020

Arising Out of PS. Case No.-44 Year-2020 Thana- RAJGIR District- Nalanda

=====

YOGENDRA YADAV, aged about 53 years, Male, son of Parmeshwar Yadav,
resident of Village- Barchhibigha, P.S- Giriyak, District- Nalanda.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

=====

Appearance :

For the Petitioner : Mr. Sanjay Kumar, Advocate
For the Opposite Party : Mr. M.K. Nirala, APP

=====

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 05-03-2021 Heard learned counsel for the petitioner and

learned APP for the State.

In this case, the petitioner is seeking anticipatory
bail in connection with Rajgir P.S. Case No.44 of 2020 (G.R.
No. 571 of 2020) registered for the offence under Sections 147,
148, 149 and 302 of the Indian Penal Code.

Allegation has been made that the accused persons
including this petitioner have brutally assaulted the brother of
the informant, as a result of which, he sustained grievous injury
and ultimately died.

Learned counsel for the petitioner submits that the
allegation made in the F.I.R. is not substantiated from the post-
mortem report, which shows that person has died due to



haemorrhage and shock leading to death due to strangulation, physical assault.

Learned counsel for the petitioner submits that co-accused Karan Yadav @ Raj Karan has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 09.02.2021 passed in Criminal Miscellaneous No.32791 of 2020 but, the bail of co-accused Prabhat Yadav, has been rejected by a co-ordinate Bench of this Court vide order dated 22.01.2021 passed in Criminal Miscellaneous No.30512 of 2020.

Looking to the nature of allegation, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail is rejected. However, if the petitioner surrenders before the Court below within three weeks from today and prays for regular bail, the Court below will consider the same and pass appropriate order on the same day as per the law without being influenced by the order of this Court.

(Shivaji Pandey, J)

pawan/-

U		T	
---	--	---	--

