

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35998 of 2020

Arising Out of PS. Case No.-127 Year-2020 Thana- HUSSAINGANJ District- Siwan

Dhananjay Yadav Son of Shyamdeo Yadav Resident of Village-Bali Tola
Hatwa, Police Station-Hussainganj, District-Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Ravindra Kumar Jain
	:	Mr. Sanjay Parasmani
For the Opposite Party/s	:	Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 09-04-2021 Heard the learned counsel for the petitioner and

the learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Hussainganj P.S. Case No. 127 of 2020 instituted for the offences under Sections 147, 178, 341, 323, 307, 379, 448, 504 and 506 of the Indian Penal Code.

The accusation against the petitioner is of having assaulted one Pappu Yadav on his head as a result of which, he has received two injuries. One of the injuries is stated to be simple in nature whereas with respect to the other injury, the victim was referred to a bigger hospital.



Learned counsel for the petitioner has submitted that there is a counter version of the occurrence and that the occurrence took place because of some dispute over lifting of earth. It has also been submitted that shortly after the first aid, the victim was released from the hospital and, therefore, it cannot be presumed that the other injury on the victim is grievous.

However, from the impugned order it appears that the other injury suffered by the victim is grievous.

Considering the afore-noted aspect of the matter, I am not inclined to grant anticipatory bail to the petitioner.

The prayer for anticipatory bail is rejected.

However, if the petitioner surrenders before the Court below and seeks bail, that petition shall be considered on its own merits, without being prejudiced by the fact that the present petition for grant of anticipatory bail has not been entertained.

(Ashutosh Kumar, J)

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