

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3493 of 2021**

Arising Out of PS. Case No.-13 Year-2021 Thana- ADHAOURA District- Kaimur (Bhabua)

BULLU YADAV @ RADHAMOHAN SINGH S/o Ramsunar Yadav Resident
of Village- Kham Kala, Than- Adhaura, Post- Kolhua, District- Kaimur
(Bhabua).

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Ms. Kiran Kumari Sharma- Advocate

For the Respondent/s : Ms. Usha Kumari 1- S.P.P.

**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER**

2 14-09-2021 Heard Ms. Kiran Kumari Sharma, the learned

Advocate for the appellant and Ms. Usha Kumari-1, the learned

Special Public Prosecutor for the State.

The appellant has challenged the order dated
05.06.2021 passed by the learned Additional Sessions
Judge-1st-cum-Special Judge, Kaimur at Bhabhua in
connection with Adhaura P. S. Case No.13 of 2021,
instituted for the offences under Sections 341, 323, 325,
504, 506, 34 of the Indian Penal Code and Section 3(1)(r)
(s)/ 3(2)(va) of the Scheduled Castes & Scheduled Tribes
(Prevention of Atrocities) Act, 1989, whereby their prayer
for grant of anticipatory bail has been rejected.

Since the appellant is alleged to have assaulted



the informant as a result of which his leg has been fractured,
I am not inclined to entertain this appeal and grant
anticipatory bail to him, notwithstanding that the brother of
the appellant (co-accused of this case) has been granted the
privilege of anticipatory bail as he is not said to be author of
the grievous injury.

The appeal is rejected.

However, if the appellant surrenders before the
Court below and seeks bail, the Court below shall consider the
case on its own merits, without being prejudiced by the fact that
the present appeal has not been entertained by this Court.

(Ashutosh Kumar, J)

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