

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.38662 of 2020**

Arising Out of PS. Case No.-10 Year-2020 Thana- BANDEYA District- Aurangabad

Dhanju Yadav S/O Chanderbilash Yadav R/O - Village Buxar Tola , Panchan  
Bigha P.S. - Bandeya , District - Aurangabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

|                    |   |                                 |
|--------------------|---|---------------------------------|
| For the Petitioner | : | Mr.Bhaskar Shankar, Advocate    |
| For the State      | : | Mr.Nand Kishore Prasad, APP     |
| For the informant  | : | Mrs. Leelawati Kumari, Advocate |

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
ORAL ORDER

3      20-09-2021                      Heard learned counsel for the petitioner, learned APP  
  
for the State and learned counsel for the informant through  
  
virtual mode.

Counsel for the petitioner is directed to remove the  
defect(s), as pointed out by the office, within a period of four  
weeks from the date of restoration of normalcy.

The petitioner is apprehending his arrest in connection  
with Bandeya P.S. case No.10/2020 registered under Sections  
307, 341, 323, 504 of the Indian Penal Code, pending in the  
court of C.J.M., Aurangabad.

Allegation is that the petitioner assaulted  
Ramsinghasan Yadav with bomboo stick, as a result of which he  
sustained head injury.



It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. Both the parties are agnates. Due to property dispute, the alleged occurrence is said to have taken place. There was no intention on the part of the petitioner to hurt the victim. The alleged occurrence had taken place at the spur of moment. No repeated bamboo blow has been made on the part of the petitioner. At best, it is a case for an offence under Section 325 of I.P.C.

On behalf of the State and learned counsel for the informant, it is submitted that the petitioner is named in the F.I.R. There is specific allegation of assault alleged against the petitioner. The allegations made in the F.I.R. is corroborated with the injury report.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected.

If the petitioner surrenders before the court below and prays for regular bail, same shall be considered on its own merit without being prejudiced by this order and taking into account



the submissions made on behalf of the petitioner.

**(Sudhir Singh, J)**

Narendra/-

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