

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18250 of 2021

Arising Out of PS. Case No.-53 Year-2020 Thana- GOVINDPUR District- Nawada

1. Sanju Yadav @ Sanjay Yadav (Male), aged about 32 yeasers
2. Nandu Yadav @ Nand Kumar Yadav (Male), aged about 23 yeasers.
Both sons of Late Puna Yadav Resident of Village- Kunda Bhalua,
P.S- Govindpur, Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Adv.
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 10-03-2022 Heard Mr. Deepak Kumar, learned Advocate for the

petitioners and learned Additional Public Prosecutor for the

State.

The petitioners seek bail in anticipation of their arrest
in connection with Govindpur P.S. Case No. 53 of 2020 dated
17.03.2020 instituted for the offences under Sections 323, 341,
307, 504, 506, 34 of the Indian Penal Code.

The two petitioners are alleged to have assaulted the
injured by means of iron rod as a result of which he has received
injury on his head.

Learned counsel for the petitioners has submitted that
there is a delay of six days in lodging the F.I.R. and that also
without any explanation whatsoever. He has further submitted
that the nature of injury could not be assessed and the report of



further medical investigation is awaited.

The parties are agnates and there had been a dispute between them as a result of which a minor skirmish took place in which the informant has unfortunately received injuries.

The learned counsel for the petitioners has submitted that there was no intention of causing any bodily injury on the injured which could be life threatening.

However, considering the fact that the father of the Informant/victim has received corresponding injury on his head, I am not inclined to grant anticipatory bail to the petitioners.

Accordingly, the prayer for anticipatory bail of the petitioners is rejected.

However, if the petitioners surrender before the court below and seek bail, the court below, while considering the prayer for bail of the petitioners on its own merits, will also take into account that the petitioners have clean antecedent and will take decisions without being prejudiced by the fact that the present application has not been entertained by this Court.

(Ashutosh Kumar, J)

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