

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20299 of 2021

Arising Out of PS. Case No.-124 Year-2020 Thana- SINGHESHWAR District- Madhepura

1. RAJ KUMAR YADAV Son of Late Narayan Yadav @ Jhatahu Yadav Resident of Village - Bhawanipur, P.S.- Singheshwar, District - Madhepura.
2. Sriram Sah @ Ram Sah Son of Buchi Sah Resident of Village - Bhawanipur, P.S.- Singheshwar, District - Madhepura.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra

For the Opposite Party/s : Mr.A.G.

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 24-01-2022 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioners as well as learned APP for the State through video conferencing.

At the outset, learned counsel for the petitioners has submitted that the petitioner No. 1 Raj Kumar Yadav has been arrested during pendency of this anticipatory bail petition. As such, he wants to withdraw the petition on behalf of the petitioner No. 1.

Accordingly, prayer for anticipatory bail in respect of petitioner No. 1 is dismissed as withdrawn.

The petitioner No. 2 apprehends his arrest in connection with Singheshwar P.S. Case No. 124 of 2020, registered for the offences punishable under Sections 341, 342, 323, 120(B), 302, 34 of



the Indian Penal Code.

Informant, Gudiya Devi, who is widow of deceased Rajendra Goswami, lodged this FIR stating therein that her husband was returning to home, meanwhile, the accused persons including the present petitioner caught him raising the alarm of '*chor chor*' they tied him with a pillar and badly assaulted him with lathi, irod rod indiscriminately, sustaining the injuries her husband died.

Learned counsel for the petitioner has submitted that the case was not found true against the present petitioner during investigation and final form has been submitted.

Considering the fact that there is specific allegation against the FIR that petitioner was also among the persons who badly assaulted the deceased and cognizance has also been taken against the petitioner. As such, he is not entitled to privileges of anticipatory bail.

Accordingly, the prayer for anticipatory bail is hereby rejected.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey , J)

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