

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 14304 of 2022**

Arising Out of PS. Case No.-194 Year-2021 Thana- BARHARA KOTHI District- Purnia

CHITRANJAN KUMAR YADAV @ RANJAN YADAV Son of Dharendra
Prasad Yadav R/o Village - Arbanna, P.S.- Barhara, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv. Dr. Bidhu Ranjan, Mr. Kr. Rajdeep, Mr. Arvind Kumar
For the Opposite Party/s	:	Mr. Vinod Shanker Modi

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

4 16-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Barhara P.S. Case no. 194 of 2021 instituted for the offence punishable under Sections 341, 323, 324, 307, 379, 504, 506/34 of the Indian Penal Code.

As per allegation in the FIR, scuffle took place over a land dispute between the informant and the petitioner and due to which several accused persons including the petitioner have assaulted the informant and his entire family members. Specific allegation against the petitioner is that he has assaulted to Raushan Kumar on his head by kudal with intention to kill him



as a result of which he sustained grievous injury.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. He has been falsely implicated in this case due to land dispute. There is case and counter case. Allegation against him is of given spade blow but doctor has found sharp cut injury on the body of the injury, which creates doubt in prosecution story.

Learned APP appearing for the State has opposed the prayer of bail and submitted that there is direct allegation against the petitioner of giving spade blow in vital organ of the injured. In para 28 of the case diary, doctor has opined fracture of left side parital bones and other skull bone also caused by hard blunt object and grievous in nature. It is not a fit case to grant anticipatory bail to the petitioner.

Having heard learned counsel for the parties and taking into consideration that petitioner has given spade blow on the head of the Raushan Kumar due to which he sustained grievous injury, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

However, if the petitioner surrenders and prays for regular bail, the same may be considered by the court below on



its own merit without being prejudiced by this order of rejection.

(Sunil Kumar Panwar, J)

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