

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43488 of 2021

Arising Out of PS. Case No.-2 Year-2021 Thana- BAUNSI District- Banka

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1. Bikash Yadav @ Bikash Son Of Garbhi Yadav Resident Of Village - Bhikhanpur, P.S.- Bounsi, District - Banka.
 2. Garbhi Yadav Son Of Late Sukdev Yadav Resident Of Village - Bhikhanpur, P.S.- Bounsi, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee

For the Opposite Party/s : Mr.Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-04-2022 Learned counsel for the petitioners submits that the petitioner no. 2 has been arrested by the police, therefore, he seeks permission to withdraw this application with regard to petitioner no. 2.

Permission is granted.

Accordingly, this application with regard to petitioner no. 2 is dismissed as withdrawn.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State for consideration of bail with regard to petitioner no. 2.

Learned counsel for the petitioner undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.



The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 341, 323, 307, 504, 506/34 of the Indian Penal Code.

Petitioner is said to have assaulted the informant by means of lathi due to which he sustained injury on his head.

It is submitted by learned counsel for the petitioner that petitioner is innocent and has been falsely implicated in this case due to land dispute. He submits that there is general and omnibus allegation levelled against the petitioner. Petitioner and informant are the Gotiya. He further submits that petitioner has two criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts that the injury found upon the informant is grievous in nature, I am not inclined to enlarge the petitioner no. 1 on anticipatory bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Bounsi P.S. Case No. 02 of 2021.

(Anjani Kumar Sharan, J)

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