

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49393 of 2021

Arising Out of PS. Case No.-54 Year-2021 Thana- SALIMPUR District- Patna

ANIL YADAV @ ANIL KUMAR S/O BALDEV YADAV @ BALDEV
SINGH R/o village- Dih Manghau, P.S.- Slimpur, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sushant Kumar, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 21-02-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under section 302 and other sections of the Indian Penal Code.

As per the prosecution case, the six named accused persons including the petitioner herein are stated to have come variously armed. It is further stated that the accused persons started to assault the father of the informant. On the father of the informant falling down Anil Yadav and Shiv Kumar Yadav further assaulted him on his chest and on his becoming unconscious the accused persons escaped.

It is submitted by learned counsel for the petitioner that the allegations are general and omnibus in nature. The petitioner has been falsely implicated in the case for oblique



reasons. The case of the petitioner stands on a similar footing to that of co-accused Shiv Kumar Yadav who has been enlarged on bail vide order dated 9.2.2022 passed in Cr. Misc. no. 47722 of 2021. The petitioner is in custody since 24.3.2021 and charge sheet has been submitted in the case.

The application for bail is opposed by learned APP for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that there is specific allegation against this petitioner along with Shiv Kumar Yadav of having assaulted the deceased even after he fell down. Further, referring to the order granting bail to Shiv Kumar Yadav it is submitted that the Court has committed an error of record in the same in so far as while observing in the order that the specific allegations are there against Anil Yadav (petitioner herein) and Shiv Kumar Yadav, bail has been granted to Shiv Kumar Yadav. It is submitted that the learned counsel appearing for the petitioner therein should have pointed out the error.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case together with the direct allegation against the petitioner in the FIR, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.



Learned trial Court is directed to expedite the trial

(Partha Sarthy, J)

Prakash/-

U			
---	--	--	--

