

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52107 of 2021

Arising Out of PS. Case No.-177 Year-2021 Thana- BRAHMPUR District- Buxar

LAV YADAV @ BADA K YADAV S/o Ramji Yadav Resident of Village-
Nimej, P.S- Brahmpur, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv
		Mr. Anil Kumar Roy
For the Opposite Party/s	:	Mr. Shailendra Kumar
		Mr. Bachan Jee Ojha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 07-11-2022 Heard the parties.

Learned senior counsel for the petitioner undertakes to
remove the defects within four weeks.

The petitioner apprehends his arrest in a case registered
for the offence punishable under sections 302/34 of IPC.

Allegedly, the petitioner alongwith other accused persons
assaulted the son of the informant by means of deadly weapons
due to which he died.

It is submitted by learned senior counsel for the petitioner
that petitioner is quite innocent and have committed no offence.
He has been falsely implicated in this case. No such occurrence,
in the manner as alleged, has ever taken place. The allegation
leveled against the petitioner is not specific rather general and



omnibus in nature. He further submits that the police has submitted final form against the petitioner but differing with the same, court below has taken cognizance against the petitioner. Petitioner has no criminal antecedent.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail relying on the judgment of the Hon'ble Apex Court in the case of **Abhishek Vs. State of Maharashtra** reported in **2022 8 SCC 282** and submitted that as the learned Court below has issued process under section 82 of Cr.P.C. hence, the petitioner does not deserve anticipatory bail.

Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioner named above on bail. The prayer for grant of anticipatory bail on behalf of the petitioner is rejected.

This instant application is dismissed.

(Anjani Kumar Sharan, J)

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