

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58677 of 2021

Arising Out of PS. Case No.-194 Year-2021 Thana- JAMUI District- Jamui

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Bablu Kumar @ Bablu Yadav S/O Ratan Yadav R/o Vill - Daulatpur, P.S. -
Jamui, Dist. - Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 06-06-2022 Heard the learned counsel for the parties.

The petitioner apprehends his arrest in connection with Jamui P.S. Case No.194 of 2021, registered for the offence punishable under Sections 341, 323, 324, 307/ 34 of the Indian Penal Code.

The case of the prosecution in brief is that on the alleged date and time of occurrence while the informant was standing at the door of his house, the accused persons including the petitioner herein had arrived there, armed with deadly weapon, and had then assaulted the informant. As far as the petitioner is concerned, he is alleged to have given an axe blow over the head of the informant while the other accused persons had also badly assaulted the informant.

The learned counsel for the petitioner has



submitted that the petitioner is innocent, has been falsely implicated in the present case and is having a clean antecedent. The learned counsel for the petitioner has further submitted that the present case arises out of case and counter case and the occurrence in question had taken place on account of pre-existing land dispute.

Per contra, the learned APP for the State, Shri Jharkhandi Upadhyay has taken this Court to the impugned order dated 14.07.2021 to show that the allegation levelled against the petitioner in the FIR of having given an Axe blow on the head of the informant stands corroborated from the injury report depicted in paragraph no. 6 of the impugned order dated 14.07.2021, which clearly demonstrates that the injury sustained by the informant, attributable to the petitioner herein, is grievous in nature, hence, it is submitted that no case is made out for grant of anticipatory bail and instead the petitioner should be directed to surrender before the learned court below and seek regular bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account



the materials available on record, this Court finds that the complicity of the petitioner in the alleged occurrence is writ large and the axe blow inflicted by the petitioner on the head of the informant has resulted in the informant sustaining grievous injury, which is apparent from the impugned order dated 14.07.2021, hence I do not find the present case to be a fit case for grant of anticipatory bail, thus, the present petition is dismissed.

(Mohit Kumar Shah, J)

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