

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49123 of 2022

Arising Out of PS. Case No.-254 Year-2022 Thana- SAHARSA SADAR District- Saharsa

AKHILESH YADAV @ AKHILESH KUMAR SON OF SRI DEVU YADAV
R/O VILLAGE- SUKHASHAN, WARD NO.,-9, P.S.- SAHARSA SADAR
AND DISTRICT- SAHARSA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratan Kumar

For the Opposite Party/s : Mrs. Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-12-2022 Heard the parties.

Learned counsel for the petitioner is directed to remove the defects within four weeks.

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 324, 307, 279, 504 of the Indian Penal Code and 27 of the Arms Act.

The allegation against the petitioner is that he along with other co-accused persons assaulted the informant and his father by means of deadly weapons due to which they sustained several injuries. It is alleged that the father of the informant died during the course of treatment.

It is submitted by learned counsel for the petitioner that



petitioner is quite innocent and has committed no offence. He is not named in the FIR and has been falsely implicated in this case. No incriminating article has been recovered from the conscious physical possession of the petitioner. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is a case and counter-case between the parties and both sides have sustained injuries. Petitioner has one criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail and submits that there is a specific allegation against the petitioner to assault the father of the informant by means of *farsa* and due to which he died during the course of treatment.

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

This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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