

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6894 of 2021

Arising Out of PS. Case No.-361 Year-2020 Thana- WAJIRGANJ District- Gaya

UPENDRA YADAV SON OF GANGO YADAV RESIDENT OF VILLAGE-
SIRI, POLICE STATION- WAZIRGANJ, DISTRICT- GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Braj Nandan Kumar Tiwary

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 07-02-2022 Heard the learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Wazirganj P.S. Case No. 361 of 2020 instituted for the offences under Sections 147, 148, 149, 323, 307, 302, 504, 506 and 324 of the Indian Penal Code.

By order dated 15.12.2021, this Court had called for the case diary of this case, which has since been received.

The petitioners and others are said to have assaulted the members of the prosecution party which



ultimately led to the death of one Badri Yadav, who is the father of informant. Four other persons are said to have been injured.

The learned counsel for the petitioners has drawn the attention of this Court to the accusation made in the F.I.R., in which there is no specific accusation against anyone of the accused persons much less the petitioner. It has further been submitted that there is an admitted long standing dispute between the parties and, therefore, the possibility of falsely implicating the petitioner also cannot be ruled out. Some of the witnesses who were examined by the police have stated that the petitioner was not present in the village at the time of the occurrence.

These reasons do not weigh with this Court for grant of anticipatory bail to the petitioner especially in view of the accusation levelled in the F.I.R. of the petitioner and several others having assaulted the deceased and other injured person of this case.

The occurrence is said to have been witnessed by the son of the deceased.



The prayer for anticipatory bail of the petitioner, is
thus, rejected.

However, if the petitioner surrenders before the
Court below and seeks bail, all the above noted grounds shall
be taken into account and an order shall be passed by the
court below without being prejudiced by the fact that the
present petition for grant of anticipatory bail has not been
entertained

(Ashutosh Kumar, J)

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