

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61484 of 2021**

Arising Out of PS. Case No.-322 Year-2019 Thana- KUCHAIKOTE District- Gopalganj

HARI SHANKAR YADAV S/o BHADAI YADAV R/o VILLAGE-
MATHIYA NAYA RAM, P.S.-KUCHAIKOTE, DISTRICT- GOPALGANJ.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pravashankar Mishra

For the Opposite Party/s : Mr.Rabindra Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 13-07-2022 The learned counsel for the petitioner is directed to remove all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor for the State

The petitioner apprehends his arrest in connection with Kuchaikote P.S. Case No. 322 of 2019 registered for offence punishable under sections 341, 323, 324, 325, 307, 302, 504/34 of the Indian Penal Code.

As per allegation, when the mother of the informant had gone to uproot grass from paddy field with Govind Kumar, the accused persons badly assaulted Govind Yadav and also thrust down the mother of the informant, who sustained injuries



and she died.

The learned counsel for the petitioner has submitted that the injuries on the person of Govind Kumar are simple in nature. The mother of the informant was an old lady and she died due to falling on the ground. The petitioner is *pattidar* and this fact was considered by the coordinate Bench in Cr. Misc. No. 4356 of 2020 and other co-accused persons, on similar footing, were granted regular bail by the coordinate Bench. He has submitted further that in the post mortem report, there was no external injury on the person of the victim.

The allegation against the accused persons, including the present petitioner, is that they forcibly thrust down the mother of the informant, who sustained injuries and succumbed to the injuries at the spot.

So far as other accused persons are concerned, they have been granted regular bail. This is an anticipatory one. In my view, it is not a fit case for anticipatory bail. The petitioner is directed to surrender before the court below and make a prayer for regular bail. If he makes a prayer for regular bail, that shall be disposed of on its own merit without being prejudiced by this order.

With these observations, this petition is disposed of.



Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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