

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10403 of 2021

Arising Out of PS. Case No.-179 Year-2019 Thana- RAJAON District- Banka

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BASHIST YADAV, son of sadanand yadav resident of village- Kathchatar,
P.S. Rajoun, Distt- Banka

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amrendra Kumar Jha

For the Opposite Party/s : Mr.APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 21-02-2022 Heard Mr. Dharendra Nath Jha, learned advocate

for the petitioner and Mr. Rabindra Kumar, learned APP for

the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Rajoun P. S. Case No. 179 of

2019 (G.R. No. 1110 of 2019), instituted for the offences

under Sections 341, 323, 307, 354, 379, 504, 505 and 34

of the Indian Penal Code.



The petitioner and three others are said to have assaulted the mother of the informant. Two of the other accused persons are specifically alleged to have been carrying sharp-cutting weapons.

The victim has received one lacerated wound on her head.

The learned advocate for the petitioner has submitted that there is no specific weapon attributed to the petitioner and there is no specific averment regarding his overt act in the entire occurrence.

Nonetheless, regard being had to the fact that the mother of the informant has received injuries in the transaction and the petitioner has been named in the F.I.R., I am not inclined to grant anticipatory bail to him.

The prayer for anticipatory bail is rejected.

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



The court below shall also take into account that
the petitioner does not have any criminal antecedents.

(Ashutosh Kumar, J)

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