

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66057 of 2021

Arising Out of PS. Case No.-155 Year-2020 Thana- JAMUI District- Jamui

SAKINDRA YADAV S/o Mangani Yadav R/o village- Chandwara, P.S.-
Jamui, Distt.- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumari Sujata Sinha
For the Opposite Party/s : Mr.Tapeshwar Sharma

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 14-07-2022 Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in a case registered
for the offence punishable under Section 302 and some other
ancillary Sections of the Indian Penal Code

As per the prosecution case, this petitioner is alleged
to have assaulted on the neck of the deceased.

Learned counsel appearing for the petitioner submits
that petitioner is innocent and has falsely been implicated in the
case. It is submitted that similarly situated accused Sitaram
Yadav has already been granted pre-arrest bail by a co-ordinate
Bench of this court vide order dated 14.09.2021 passed in Cr.
Misc. No. 879/2021.

Learned counsel appearing for the State opposes the
prayer for anticipatory bail and submits that there is direct and



specific allegation against this petitioner that he assaulted the deceased by means of sword on his neck. Post mortem report also shows that all wounds are incised caused by sharp cutting weapon. It is further submitted that case of petitioner is different from the case of aforesaid co-accused, Sitaram Yadav, as there was allegation against him of catching hold of the hand of the deceased whereas allegation against this petitioner is that he gave sword blow on the neck of the deceased.

Considering the nature of accusation and gravity of the offence, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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