

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69063 of 2021

Arising Out of PS. Case No.-213 Year-2021 Thana- SHAHKUND District- Bhagalpur

PANKAJ YADAV @ PANKAJ KUMAR Son of Uma Kant Yadav Resident of
Village - Dauna, P.S. - Sajour, (Shahkund), District - Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-07-2022 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

Let the defect(s), if any, be removed within a period of
four weeks.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 147, 148, 149, 307, 323,
324, 504 and 506 of the Indian Penal Code read with Section 27 of
the Arms Act.

Learned counsel for the petitioner submits that petitioner
has antecedent of five cases.

The informant alleges that this petitioner assaulted her
husband by farsa on his head causing injury and thereafter Mahendra
Yadav assaulted by farsa to one Gaja Yadav who also sustained injury
and thereafter Nipu Yadav and Chotu Yadav fired from pistol but the
informant's side save themselves.

Learned counsel for the petitioner submits that petitioner



has been falsely implicated in the present case. Petitioner and the informant are neighbours and there is a dispute between the two on account of which the present occurrence took place. It is submitted that out of five cases the petitioner has been acquitted in two cases and two other cases have been filed by the same informant.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that assault is on vital part of the body and the opinion with regard to injury has been reserved that amply demonstrates that injury is not simple in nature. He further submits that since there is specific allegation of assault against the petitioner by a sharp edged weapon on the vital part of the body of the husband of the informant, the petitioner does not deserve the privilege of anticipatory bail.

Considering the submissions made by the learned A.P.P., the Court is not inclined to extend the privilege of anticipatory bail to the petitioner in connection with Shahkund (Sajour) P.S. Case No. 213 of 2021 pending in the Court of learned Additional Chief Judicial Magistrate-II, Bhagalpur/successor Court.

Hence, prayer for anticipatory bail is rejected.

(Satyavrat Verma, J)

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