

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.155 of 2022

Arising Out of PS. Case No.-2 Year-2020 Thana- SAHEBPUR KAMAL District- Begusarai

RAJESH KUMAR YADAV@RAJESH YADAV@RAJESH KUMAR
RAMAN SON OF BISHUN DEO PRASAD YADAV RESIDENT OF
VILLAGE- SIRAIYA PS- SAHEBPUR KAMAL DIST - BEGUSARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Jai Prakash Singh
For the Opposite Party/s :	Mr.Ajay Kumar Jha
	Mr. Ram Sumiran Roy

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

ORAL ORDER

2 02-08-2022 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 counsel for the informant and the learned APP for the State.

The petitioner apprehends his arrest in connection with S. Kamal P.S. Case No. 2/2020 registered for offence punishable under section 302/34 of the Indian Penal Code.

As per allegation, when the informant went to his field, he saw his brother in injured condition. When the informant and other persons, who came there, asked the injured



about the injuries, he in his stammering voice apprised the names of six accused persons and five unknown persons, stating that they badly assaulted him and went therefrom, perceiving him as dead. The informant and villagers proceeded to the hospital with the injured Mukesh Kapar, but he died in the way to the hospital.

The learned counsel for the petitioner has submitted that as a matter of fact, the deceased was working in his field, a bull pushed him and he became injured. He has submitted further that the accused persons, including the petitioner, have falsely been implicated in this case due to previous enmity. He has also submitted that the investigating authorities submitted final form, but differing therefrom, the learned Magistrate took cognizance.

On the other hand, the learned counsel for the informant and the learned Additional Public Prosecutor have submitted that before his death, the deceased named the present petitioner as well as five other accused persons and five unknown persons with specific allegation that they badly assaulted him for perceiving him dead, they fled away therefrom. The learned counsel for the informant has submitted further that as many as seven injuries were found on the dead



body and cause of death is haemorrhage and shock due to injury sustained by the deceased. He has submitted further that the witnesses in the case diary fully supported the occurrence, including the deceased himself, but the investigating authority submitted final form in this case.

Considering the above-mentioned facts and circumstances, the petitioner does not deserve the privileges for anticipatory bail. Accordingly, his prayer for anticipatory bail is hereby rejected.

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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