

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15546 of 2023

Arising Out of PS. Case No.-188 Year-2022 Thana- SHAHKUND District- Bhagalpur

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GANESH YADAV S/O LATE BHUVNESHWAR YADAV Resident of
village- Gorgama, P.S.- Shahkund, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Rai , Addl. Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-05-2023 Heard learned counsel for the petitioner and the

State.

Petitioner apprehends arrest in a case registered for
the offence punishable under sections 341/ 323/ 325/ 307/ 506/
34 of the Indian Penal Code.

On the alleged date and time of occurrence, all the
FIR named accused persons including this petitioner armed
with iron rod, lathi, danda entered the informant's house and
assaulted her husband, causing head injury to him. It is further
alleged, when the informant went to rescue her husband, the
accused persons also assaulted her.

It is submitted that due to land dispute between the



parties this false and fabricated case has been lodged against this petitioner. Petitioner is 82 years old and no overt act has been alleged against him. Petitioner claims clean antecedent.

Learned counsel for the State opposes the prayer for bail and submitted that injury sustained by informant’s husband (Sikandar Yadav) was found grievous in nature by the doctor. He further submits that during investigation, the witnesses have supported the prosecution case.

Considering the nature of injury and gravity of allegation, prayer for pre-arrest bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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