

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25399 of 2023

Arising Out of PS. Case No.-38 Year-2022 Thana- GARHI District- Jamui

Sujit Yadav @ Sujit Kumar Yadav Son Of Hari Yadav R/O Village- Fatehpur,
P.S.- Garhi, District- Jamui

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Madhav Raj, Adv.
For the State	:	Mr. Rabindra Kumar, APP
For the informant	:	Ms. Poonam Singh Adv.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 07-07-2023 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the informant.

The petitioner is apprehending his arrest in connection with Garhi PS Case No. 38 of 2022, dated 04-09-2022, registered for the offence punishable under Sections 341, 323, 447, 307 and 504/34 of the Indian Penal Code.

The accused persons have arrived at the informant's house armed with sticks, sickle, rod etc,. They have abused the informant and on the orders of Hari Yadav, the instant petitioner, having iron rod in his hand, has assaulted Bijay Kumar Singh, on his head, who is brother-in-law (*Dewar*) of the informant. There is also allegation of



assault by other co-accused persons upon the informant's husband.

The learned counsel for the petitioner submits that the FIR contains false allegation over a trivial dispute regarding harvesting of paddy crop, scuffle has taken place between the parties. The same led to lodging of counter case also namely Garhi PS Case no. 37 of 2022, where the alleged victim of this case is an accused.

The learned counsel for the informant and learned APP for the State have opposed the prayer for bail. It is submitted that FIR contains specific allegation of assault against the instant petitioner. From the order of the learned Sessions Judge, Jamui dated 27.3.2023, whereby and whereunder his prayer for anticipatory bail has been rejected, it is evident that witnesses have supported the allegation in the course of investigation and there is an injury report showing grievous injury over the head of Bijay Kumar Singh, who has been assaulted by the petitioner.

Considering the rival submission, nature of allegations and material in the case diary, this Court is not inclined to extend the privilege of anticipatory bail to the petitioner.



Prayer for pre- arrest bail is rejected.

(Madhuresh Prasad, J)

shyambihari/-

U		T	
---	--	---	--

