

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36692 of 2022

Arising Out of PS. Case No.-6 Year-2020 Thana- BATH District- Bhagalpur

ROHIT YADAV SON OF ARUN YADAV R/O- VILL- BALARI (WEST),
P.S.- BATH, DIST.- BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Prasad Roy

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 17-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner undertakes to
remove the defects within four weeks.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 147, 148,
149, 302, 504 & 506 of the Indian Penal Code pending in the
learned court below.

As per the prosecution case, all the accused persons
arrived at the gate of the informant and started assaulting the
father of the informant due to which he fell down and became
unconscious. Thereafter, on the way to the hospital, the father of
the informant died.

Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. He further submits that there is general and omnibus



allegation against the petitioner. He submits that there delay of one day in filing of the present FIR. He further submits that prosecution has alleged several assault on the deceased but the same has been falsified from the post-mortem report. He submits that similarly situated other co-accused person has already been granted regular bail by a Coordinate Bench of this Court. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Per contra, learned APP for the State vehemently opposing the bail application and submitted that the post-mortem report has supported the prosecution case. Hence, he does not deserve anticipatory bail.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail in connection with Bath P.S. Case No. 06/2020. Accordingly, his prayer for anticipatory bail is hereby rejected.

The learned Court below shall consider the fact that similarly situated other co-accused persons have been granted bail by this Court.

(Anjani Kumar Sharan, J)

ajay/-

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

