

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3495 of 2022

Arising Out of PS. Case No.-175 Year-2021 Thana- GWALPARA District- Madhepura

SUNIL YADAV @ SUNIL KUMAR YADAV Son of Satyanarayan Yadav
Resident of Mohalla- Ramganj Ward No. 8, P.S.- Gwalpar, District-
Madhepura

... .. Appellant/s

Versus

1. The State of Bihar
2. Nunulal Paswan Son of Late Karnesh Paswan Resident of Ramganj, Ward
No.-9, P.S.- Gwalpara, District- Madhepura

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mrs.Patla Kumari, Advocate
For the Respondent/s	:	Mr.Sadanand Paswan, Spl.P.P. Mr.Pawan Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 29-04-2023 Heard learned counsel for the parties.

The present appeal is against order dated 15.06.2022 passed by learned Additional District & Sessions Judge – I, Madhepura in Gwalpara P.S. Case No. 175 of 2021 registered for the offence punishable under Sections 147, 148, 149, 341, 323, 307, 302 of the Indian Penal Code and Section 3(2)(v), 3(2)(va) of the SC/ST Act, whereby the prayer for anticipatory bail of appellant was rejected.

The prosecution case, in brief, is that on 17.11.2021, the father of the informant was assaulted by all the F.I.R. named accused persons including this appellant by *kunda* (butt) of rifle and 3-nut on the head and other part of the body, due to which, he fell down and died on the spot.



Learned counsel for the appellant submits that appellant is innocent and has been falsely implicated in this case. The allegation of assault is general and omnibus. Name of the appellant has been dragged in this case due to dirty village politics.

However, learned Special P.P. as well as learned counsel for the informant/O.P.-2 vehemently oppose the appeal. Learned counsel for informant/O.P.-2 submits that appellant is named in the F.I.R. and there is specific allegation that this appellant alongwith his associates assaulted the father of the informant, on account of which, father of the informant died.

Considering the same, this Court does not find any reason to interfere with the order impugned. Accordingly, the appeal, filed for grant of anticipatory bail to appellant, is rejected.

(Prabhat Kumar Singh, J)

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