

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58873 of 2022

Arising Out of PS. Case No.-234 Year-2022 Thana- ARARIA District- Araria

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AJAY YADAV @ AJAY KUMAR YADAV S/O JITTAN YADAV Resident of
village- Kharaiya Basti, P.S.- Araria, District- Araria Petitioner/s
Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh, Advocate
For the Opposite Party/s : Mr.Raj Kishor Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 06-02-2023 Heard Mr. Ramesh Kumar Singh, learned counsel
for the petitioner and the State.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The petitioner is apprehending arrest in connection
with Araria P.S. Case No. 234 of 2022 under sections 341, 323,
504, 307, 379/34 of the Indian Penal Code.

As per the prosecution story, the allegation
amongst other this petitioner is of causing injury to the wife of
the informant by sword and the said injury has been found to be
grievous in nature as would reflect from Annexure-2.

Learned counsel for the petitioner at the outset
submits that the occurrence took place on 18.3.2022 and the FIR
was lodged on 21.3.2022. He further submits that they are
agnates and would be cooperating in the investigation and also
appearing in the trial and in that background, he may be granted
the privilege of bail.



The last submission is that the parties have come to an agreement which has been annexed as Annexure-4 to the petition.

The learned APP opposes the prayer stating that the the petitioner has inflicted injury upon the informant's wife.

Taking into account the kind of injury that has come against the petitioner, although he may have good case for bail, certainly it is not a fit case for extending the privilege of anticipatory bail which is accordingly rejected.

If the petitioner surrenders before the concerned Court within four weeks from today and files application for bail, the Court concerned shall take into account the aforesaid submission put forward by the petitioner and will try to pass an appropriate order without being prejudiced by any observation made herein, preferably on the same day.

Ravi/-

(Rajiv Roy, J)

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