

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73335 of 2022

Arising Out of PS. Case No.-107 Year-2022 Thana- ROH District- Nawada

Sanjay Yadav @ Bhado Yadav, S/o Late Kali Yadav, Resident of Village-
Banshichak, P.S.- Roh, District- Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 03-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

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

The accused/petitioner is named in the FIR and
apprehending his arrest in connection with Roh P.S. Case
No.107 of 2022 registered for the offences punishable under
Section 302 read with 34 of the Indian Penal Code.

The allegation against the petitioner is to commit
murder of the mother of informant along with other co-accused
persons/family members by causing assault with brickbat and
also by means of fat and fist where occurrence is alleged to be
founded over land dispute.

It is submitted by learned counsel that the



postmortem report of deceased is suggesting injuries as simple in nature, which is not sufficient to cause death in ordinary course of nature. It is submitted that the death might be caused due to negligence in treatment. It is submitted that allegation of assault is also appearing general and omnibus against this petitioner, where occurrence is founded over land dispute and petitioner appears to be an agnate of the deceased. It is pointed out that petitioner found involved in one more criminal case, where he is on bail.

Learned Additional Public Prosecutor for the State while opposing the prayer of bail submitted that allegation as regard to assault to mother of the informant is available specific against this petitioner. It is further submitted that petitioner specifically assaulted the mother of the informant on her chest by means of fat and fists, causing her death.

In view of the above-mentioned facts and circumstances and by taking note of specific allegation against petitioner as regard to causing assault leading to death of mother of the informant, the prayer for anticipatory bail of the petitioner is rejected herewith.

However, in case the petitioner surrenders and seeks regular bail, the same shall be considered by the court



below on its own merit without being prejudiced in any manner
by this order.

(Chandra Shekhar Jha, J.)

Sanjeet/-

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