

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65243 of 2022

Arising Out of PS. Case No.-274 Year-2021 Thana- HILSA District- Nalanda

Sanjay Gope @ Sanjay Yadav S/o Late Laxami Gope R/o Village- Milkipur,
P.S.- Hilsa, Distt- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Priya Sharan Singh, Advocate
For the Opposite Party/s : Mr.Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 03-04-2023 Heard learned counsel for the petitioner and
learned counsel for the State.

In this case, the petitioner apprehends arrest and seeks anticipatory bail in connection with Hilsa P.S. Case No. 274 of 2021, registered for the offences under Sections 341, 323, 504, 337, 338 and 307/34 of the Indian Penal Code.

As per prosecution case, the husband of the informant was assaulted by the petitioner and other co-accused persons with iron khanti and sword and allegation against the petitioner is that he gave khanti blow on the head of the husband of the informant and when the family members of the informant tried to rescue him, they were also assaulted. The occurrence took place in the background of



some land dispute.

Learned counsel for the petitioner submits that the petitioner is the own brother of the husband of the informant and there is land dispute between the parties. The prosecution side is not agreeable to previous partition and wanted to grab the land of the petitioner. Due to this reason, the informant's husband and other persons entered into the house of the petitioner abused and assaulted the son of the petitioner, who also received injury on his head whereas the petitioner was also assaulted and for the said occurrence Complaint Case No. 187C of 2021 has been filed before the learned court below. The informant side has lodged the present case in order to save their skin from the case lodged by the petitioner side for the occurrence of 03.06.2021 but the informant side lodged the present case on 06.06.2021 for the occurrence of 04.06.2021. Learned counsel further submits that the petitioner has falsely been implicated in this case.

Learned APP opposes the prayer for anticipatory bail submitting that there is specific allegation against the petitioner and head injury has been caused by this petitioner.

Having regard to the facts and circumstances, It do not think it is a fit case for grant of anticipatory bail to the



petitioner and accordingly, the prayer for bail of the
petitioner is rejected.

(Arun Kumar Jha, J)

DKS/-

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

