

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66642 of 2022

Arising Out of PS. Case No.-241 Year-2022 Thana- CHAND District- Kaimur (Bhabua)

GAUTAM YADAV S/o Late Baban Yadav R/o Village- Khaiti, P.S.- Chand,
Distt- Kaimur at Bhabhua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan
For the Opposite Party/s : Mr. Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 10-04-2023 Heard the parties.

The petitioner apprehend his arrest in connection with Chand P.S. Case No.241 of 2022, registered for the offence punishable under Sections 342, 323, 367, 504, 506, 34 of the Indian Penal Code.

Allegedly, co-accused Atma Yadav in association with the petitioner and other accused persons called the informant from his house and on the point of firearms took him to another place by a car and assaulted him with *lathi-danda* and with the butt of pistol and also snapped his photograph after putting pistol in his hands.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in



the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the petitioner. The specific allegation is against the co-accused Atma Yadav. He further submits that there is no injury on record in the present case. There is no eye-witness in the present case to support the prosecution story. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

This application is accordingly, dismissed.

However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seek for regular bail, the learned court below shall pass the order on the same day in accordance with law.

(Anjani Kumar Sharan, J)

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