

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70686 of 2023

Arising Out of PS. Case No.-194 Year-2023 Thana- MAIRWAN District- Siwan

Mukesh Yadav Son Of Naresh Yadav Resident Of Village - Bar Gaon Gosai
Tola, P.S. - Mairwa, District - Siwan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Pandey, Advocate
For the Opposite Party/s	:	Mr. Raj Kishor Singh, APP
	:	Mr. Ritesh Kumar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-11-2023 Heard learned counsel for the petitioner and learned
APP for the State along with learned counsel for the informant.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 341, 323, 354, 379, 504 and 506 of the Indian Penal Code pending in the learned court below.

3. As per the prosecution case, petitioner is said to have assaulted on the head of the younger son of the informant, namely, Rohit Yadav. It is further alleged that the petitioner torn blouse of the informant's wife and also took away her mangalsutra worth of Rs.25,000/-.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that there is land dispute between the



parties. He submits that the occurrence took place on 24.06.2023 but the FIR lodged on 26.06.2023. He further submits that there is delay of two days in filing of the present FIR and there is no explanation of it which creates serious doubt about prosecution case. He submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

5. Per contra, learned APP for the State along with learned counsel for the informant vehemently opposing the bail application and submitted that the petitioner has assaulted the injured person, namely, Rohit Yadav and injury found upon him is grievous in nature. Hence, the petitioner does not deserve anticipatory bail.

6. Considering the nature of the injury, I am not inclined to enlarge the petitioner on bail in connection with Mairwa P.S. Case No. 194 of 2023. Accordingly, his prayer for anticipatory bail is hereby rejected.

(Anjani Kumar Sharan, J)

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