

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.75546 of 2023

Arising Out of PS. Case No.-486 Year-2023 Thana- BANKA District- Banka

Belcha @ Rupesh Yadav S/O Matru Yadav @ Ghutar Yadav R/O Village-
Karharia, Ps. Banka, Dist. Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Murlidhar Mishra

For the Opposite Party/s : Mr.Umanath Mishra

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 12-12-2023 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in
connection with Banka P.S Case No. 486 of 2023 dated
14.07.2023 registered for the offences punishable under
Sections 143, 149, 341, 323, 324, 379 and 307 of the Indian
Penal Code.

4. As per the prosecution case, the petitioner and the
co-accused persons along with 2-3 unknown miscreants stopped
the motorcycle of the informant and snatched the mobile of the
informant. On protest by the informant, the petitioner assaulted
the informant with bamboo on his head causing injury.
Thereafter, they assaulted the informant with *lathi*, *danda* and



bamboo indiscriminately and fled away after taking motorcycle and mobile of the informant.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. Nothing has been recovered from the possession of the petitioner. The petitioner is accused in three other criminal cases as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner by submitting that the injury of the informant is grievous in nature caused by hard and blunt substance.

7. Considering the aforesaid facts, circumstances of the case and the injury of the informant being grievous in nature as well as the specific allegation against the petitioner, I am of the view that no case for grant of anticipatory bail is made out. The petition is rejected and the petitioner is directed to surrender to the Court below within six weeks from the date of this order and the Court below will consider the prayer of the bail of the petitioner without being prejudice by this order.

(Chandra Prakash Singh, J)

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