

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1292 of 2023

Arising Out of PS. Case No.-241 Year-2021 Thana- KISHUNPUR District- Supaul

RAMNATH YADAV @ RAMNATH KUMAR YADAV @ RAMA YADAV
SON OF HIRA LAL YADAV R/O VILL.- WAGEBA, P.S.- KISHANPUR,
DISTT.- SUPAUL

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satish Kumar Singh

For the Opposite Party/s : Mr. Manoj Kumar
Mr. Pramod Kumar Yadav

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 24-04-2023 Heard learned counsel for the petitioner, learned counsel
for the informant as well as learned APP for the State.

The petitioner apprehends his arrest in connection with Kishanpur P.S Case No.241 of 2021, registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 326, 307, 379, 504, 506, 302 of the Indian Penal Code and section 25(1-b)a, 26, 37, 27 of Arms Act.

The allegation against the petitioner is that he assaulted the son of the informant namely, Suman Kumar by means of *farsa* due to which he sustained injuries and later on died during the course of treatment.

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. He submits that from the perusal of case diary it is evident that the injured Shivchandra Yadav has not supported the prosecution case, he only alleged that the petitioner snatched Rs.7000/- from him. He further submits that the occurrence took place on 26.11.2021 and the FIR has been lodged on 01.12.2021 i.e. after delay of more than six days, without giving any credible explanation regarding the said delay which creates a serious doubt on the genuineness of the prosecution case. Petitioner has one criminal antecedent, as also mentioned in para-3 of the bail application.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail. Learned counsel for the informant submits that some of the independent witnesses as well as the post mortem report of the deceased has supported the prosecution case.

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.

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 considering the argument advanced by the learned counsel for the petitioner.

(Anjani Kumar Sharan, J)

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