

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12771 of 2024

Arising Out of PS. Case No.-232 Year-2022 Thana- BAGHA District- West Champaran

Sadhu Yadav S/o Late Baldeo Yadav Resident of Village- Bankatwa, Ward
No. 21 P.S.- Bagaha, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Kishun Prasad, Adv.

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 10-05-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner apprehends his arrest in connection with Bagaha P.S. Case No. 232 of 2022 dated 06.04.2022 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 326, 307, 302, 504 and 506 of the Indian Penal Code.

3. Mr. Ram Kishun Prasad, learned counsel appearing for the petitioner submits that as per allegation made in the FIR, the petitioner inflicted a blow at the **hydrocele** of the deceased namely, Kashi Yadav by means of *hura* of a *Lohbanda* which is considered as a sharp edged weapon and as per the postmortem report of the deceased, no any sharp cut injury has been found on his body and also no injury on his **hydrocele** was found, so the medical opinion given in the postmortem report



completely contradicts the allegation of the FIR. Learned counsel further submits that one co-accused namely, Ramadhar Yadav has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 07.12.2023 passed in Cr. Misc. No. 44769 of 2023 and several persons have been named in the F.I.R.

4. Mr. Ajay Kumar Jha, learned APP for the State has opposed the prayer for bail of the petitioner.

5. Having considered the seriousness of the allegation appearing against the petitioner and mainly taking into account his criminal antecedent of two cases coupled with the death of the deceased and also injuries to some persons who were assaulted during the course of occurrence by other co-accused persons and the statements of the informant and other witness Golu Yadav corroborates the allegation levelled against this petitioner in the FIR, in my opinion, the petitioner does not deserve to the privilege of anticipatory bail. Accordingly, his prayer for anticipatory bail stands rejected.

(Shailendra Singh, J)

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