

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10694 of 2024

Arising Out of PS. Case No.-232 Year-2023 Thana- MANIGACHI District- Darbhanga

SHAMBHU YADAV S/O RAM NARAYAN YADAV @ RAM LAKHAN
YADAV R/O VILLAGE- NEHRA, P.S- MANIGACHHI (NEHRA OP),
DISTT.- DARBHANGA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Girish Chandra Jha, Adv.
For the State	:	Mr.Parmanand Prasad, A.P.P.
For the Informant	:	Ms. Madhumala Kumari, Adv.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 11-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioner is apprehending his arrest in connection with Manigachhi (Nehra O.P.) Case No. 232 of 2023 registered for the offences punishable under Sections 341, 342, 302 and 34 of the Indian Penal Code.

3. As per prosecution case, petitioner is said to have assaulted the deceased Amit Kumar upon his head by means of iron rod as a result of which he became unconscious and fell down.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case.



Petitioner bears criminal antecedent of one case which is not similar to the present case. Learned counsel for the petitioner submits that from the perusal of F.I.R., it is clear that the occurrence took place on 26.09.2023 and informant's brother got treatment at Primary Heath Centre, Manigachhi and on 27.10.2023 he died on the way to hospital.

5. The learned A.P.P. for the State as well as learned counsel for the informant opposed the prayer for bail of the petitioner by submitting that from the perusal of impugned order, it is clear that death was caused on account of intracranial haemorrhage, compression and shock which supported the allegation levelled against the petitioner.

6. Considering the facts and circumstances of the case, nature of allegation levelled against the petitioner as well as arguments advanced on behalf of both the sides, I am not inclined to grant privilege of anticipatory bail to petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is, hereby, rejected.

(Alok Kumar Pandey, J)

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