

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19278 of 2024

Arising Out of PS. Case No.-38 Year-2018 Thana- UDWANTNAGAR District- Bhojpur

RABI YADAV @ RAVI YADAV SON OF SURESH YADAV RESIDENT OF
VILLAGE - SABALPUR BEHRA, P.S. - UDWANTNAGAR, DISTRICT -
BHOJPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta, Advocate
For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 19-07-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Udawantnagar P.S. Case No. 38 of 2018 for the offence registered under sections 341, 323, 324, 448, 307, 504, 506 and 34 of the Indian Penal Code lodged on 10.02.2018 by the informant, Doda Singh.

3. As per the prosecution story, the informant alleged that the accused persons had entered the house of Satyendra Singh and his wife was assaulting when his son, Sanjeevan Singh and grand-son, Rahul had gone to mediate. Later, the matter was reported to the Police Station whereafter in the evening, the accused persons armed variously came and assaulted his grand-son Rahul Kumar. Allegation against Chotu Yadav is of using iron-rod which hit his head which followed another assault by iron rod by this petitioner and Rahul fell on the ground. When the informant and his son, Sambhu Singh



went to the rescue, Juj Yadav gave blow on the head while Suresh Yadav gave iron-rod blow which hit his son later injured were taken to hospital and the F.I.R.

4. Learned Counsel for the petitioner submits that allegation of assault mainly is on Chotu Yadav of hitting by iron rod on his head. Further, though allegation of using iron-rod is against this petitioner also, it is not clear where it hit.

5. Learned APP for the State, on the other hand, points out that specifically it has been stated in the F.I.R. that the iron-rod blow of Chotu Yadav hit the head and when this petitioner gave another blow, he fell on the ground.

6. This is an anticipatory bail, the allegation is against the petitioner of having assaulted the grand-son of the informant whereafter he fell on the ground.

7. In that background, it would be appropriate that he seeks bail.

8. The anticipatory bail application stands rejected.

(Rajiv Roy, J)

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