

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33120 of 2024

Arising Out of PS. Case No.-142 Year-2022 Thana- TANKUPPA District- Gaya

Amarnath Yadav SON OF BHUNESHWAR YADAV @ BHUNESAR
YADAV RESIDENT OF VILLAGE- ANDHU SUMANI PS- TANKUPPA,
DIST- GAYA.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh

For the Opposite Party/s : Mr. Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 22-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Tankuppa P.S. Case No. 142/2022 registered for the offences punishable under Sections 341, 323, 307, 427, 504, 337, 338 and 506/34 of the Indian Penal Code.

3. As per prosecution case, petitioner is said to have assaulted the informant upon the head by means of Khanti as a result of which he sustained head injury.

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. The petitioner bears no criminal antecedent. He further submits that there is case and counter case between both the parties on the same date of



occurrence. Section 307 of the I.P.C. is not made out against the petitioner and all sections are bailable in nature except Section 307 of the I.P.C.

5. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioner and submitted that there is specific allegation against the petitioner who is said to have assaulted the informant upon the head by means of Khanti as a result of which the informant sustained head injury. He further submitted that the informant was treated at Magadh Medical College, Gaya and referred to P.M.C.H., Patna for better treatment. He further submitted that in CT Scan acute epidural haemorrhage was seen in left parietal temporal region and mid-line was shifted 9 mm towards right as mentioned in impugned order. Hence, the petitioner does not deserve the privilege of anticipatory bail.

6. Considering the facts and circumstances of the case, nature of allegation levelled against the petitioner as well as material available on record, 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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