

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51696 of 2024

Arising Out of PS. Case No.-234 Year-2024 Thana- BARH District- Patna

Devendra Yadav @ Devendra Kumar, Son of Bambam Yadav Resident of
Vill- Bhatgaon, P.S.- Barh, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 21-08-2024 Heard learned Counsel for the petitioner and learned APP
for the State.

2. The petitioner is apprehending arrest in a case registered for the offences punishable in connection with Barh P.S. Case No. 234 of 2024 under Sections 341, 323, 448, 354(B), 427, 307 and 34 of the Indian Penal Code.

3. As per the prosecution, the FIR has been lodged against six named accused persons including the petitioner. The specific allegation against the petitioner is that he assaulted son of the informant aged about 9 years old with stone cause injury on his temporal region and he made unconscious. It is further alleged that petitioner armed with country made rifle, rod, lathi etc came near informant's field with an intention to captured her land forcefully.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits



that the due to enmity, his name has been dragged in this case. Learned counsel further submits that from the rejection order, it transpired that the trial Court granted bail to four accused persons.

5. Learned counsel also submits that antecedent of the petitioner is not clean and there is one criminal antecedent of the petitioner.

6. Learned APP for the State, on the other hand, opposes the prayer for bail and submits that in the rejection order, it is categorically acknowledged that 9 years old boy caused injury by this petitioner.

7. In that view of the matter, this Court is not inclined to grant anticipatory bail to the petitioner, therefore the bail application of the petitioner is hereby rejected.

8. However, trial court is directed to consider the regular bail application of the petitioner, if he surrenders within four weeks from today and prays for regular bail, then trial court shall pass order without being prejudice of the present order preferably on the same day upon going through the injury report.

(Dr. Anshuman, J)

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