

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54249 of 2024

Arising Out of PS. Case No.-27 Year-2024 Thana- UDWANTNAGAR District- Bhojpur

Dilip Kumar Yadav S/O Dhanjan Yadav R/O Village-Sevgar,PS-
Udawanagar,Distt- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh, Advocate
: Ms. Priya, Advocate
For the State : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 06-12-2024 Heard Ms. Priya, learned counsel for the petitioner
and learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Udawanagar P.S. Case No. 27 of 2024 for the offence under Sections 341, 323, 307, 379, 504, 506 and 34 of the Indian Penal Code lodged on 18.01.2024 by the informant, Babita Devi.

3. As per the prosecution story, the informant alleged that the accused persons armed variously came and started abusing. Upon objection, allegation is that this petitioner gave iron rod blow on the head of the informant's husband causing serious injury. Against other accused persons, there is allegation of assault as also taking away the ornaments. Accordingly, the F.I.R.

4. Though, learned counsel for the petitioner tried to



impress upon this Court that assault has been attributed to him on parietal region of the injured, it is not clear, whether the injury is grievous or simple in nature as it reflects from the learned Sessions Judge order. She also submits that some similar placed co-accused have been granted bail in Cr. Misc. No. 40001 of 2024 (Dhananjay Yadav & Anr. vs. The State of Bihar).

5. Learned APP for the State on the other hand submits that a perusal of the F.I.R. would show that specific allegation is against this petitioner and the others were granted relief only on the ground that omnibus allegation is against them, even in the said order it was recorded that there is specific allegation against this petitioner.

6. Considering the submissions put forward by the parties as also the fact that the allegation is on the petitioner, the role of assault has been attributed to him, it would be appropriate that he seek bail.

7. Accordingly, the anticipatory bail stands rejected.

8. However, if the petitioner surrenders within a period of four weeks the Trial Court shall take up the matter and dispose it of preferably on the same day.

(Rajiv Roy, J)

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