

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65888 of 2023

Arising Out of PS. Case No.-249 Year-2022 Thana- SIKANDRA District- Jamui

JINESHWAR YADAV S/O LATE DOLA YADAV VILLAGE- SUNDER
BONDH, PS- SIKANDRA, DIST- JAMUI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 27-02-2024 Heard the parties.

2. The petitioner is apprehending arrest in connection with Sikandra P.S. Case No. 249 of 2022 instituted under Sections 147, 148, 149, 341, 323, 324, 325, 307, 354(a)(B), 504, 506 of the Indian Penal Code and further added section 302 of the IPC lodged on 03.09.2022 by the informant, Rampyare Yadav.

3. As per the prosecution story, the accused persons armed variously assaulted the informant and his family members. While Mithilesh Yadav assaulted the informant by 'lathi' causing fracture in his hand, Nagendra Yadav and Narendra Yadav assaulted with 'Farsa' to Rina Devi who subsequently succumbed to her injuries, Nagendra Yadav and Surendra Yadav and this petitioner assaulted Kameshwar Yadav



by means of 'Farsa'. There are other injuries to the informant's side which has been recorded in the FIR.

4. Learned counsel for the petitioner submits that he is not implicated in the injuries inflicted upon the informant and/or Rina Devi who subsequently died of the injuries. The allegation against him amongst other is of assaulting Kameshwar Yadav and no injury has been found on the head.

5. In this case, case diary and the injury report is on record and the learned counsel appearing on behalf of the informant has taken this Court to the injury report sent by the Patna Medical College and Hospital, Patna and according to which he has suffered injuries on various parts of the body including the abdomen, chest, shoulder and arms.

6. Learned counsel for the informant also brought on record an order of Surendra Yadav @ Surendra Kumar in Cr. Misc. No. 66886 of 2023 by which the coordinate bench of this Court rejected his anticipatory bail application on 18.10.2023.

7. Taking into account the aforesaid facts as also the brutal assault that was made by the accused persons against the informant's side which ultimately, the allegation against this petitioner is also of assaulting Kameshwar Yadav, no case of anticipatory bail is made out which is



accordingly, rejected.

8. If the petitioner surrenders before the concerned Court within four weeks from today, the same shall be taken up and an appropriate order be passed preferably on the same day.

(Rajiv Roy, J)

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