

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64082 of 2023

Arising Out of PS. Case No.-246 Year-2023 Thana- HISUWA District- Nawada

AYUSH RAJ @ AKHILESH YADAV SON OF ASHOK YADAV VILLAGE-
KAHARIYA BELDARI, PS- HISUA, DIST- NAWADAH

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Sunita Kumari
		Mr. Bipin Kumar
For the Opposite Party/s	:	Mr. Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

7 02-05-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 279, 337,
338 and 307 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner is a student and has been falsely implicated in the
instant case. It is next submitted that the informant alleges that
petitioner had taken his mobile for making a call, but thereafter
did not return the same and when the informant asked him to
return his mobile, the petitioner said that he has lost it, but after
some time the petitioner informed that mobile is with Dhiraj,
accordingly, the informant accompanied the petitioner to the
place of Dhiraj where Dhiraj and the petitioner abused him and
the petitioner dashed him by the tractor of Dhiraj causing injury.



It is further submitted that why the petitioner would have dashed the informant by tractor of Dhiraj for a mobile. It is further submitted that the date of occurrence is 16.04.2023 and the FIR has been instituted on 13.05.2023 i.e. after a delay of about a month without any probable explanation.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that the date of occurrence is 16.04.2023 and the *fardbeyan* of the informant was recorded in the hospital on 01.05.2023. It is further submitted that the informant has suffered grievous injury, as such, his *fardbeyan* could not be recorded instantly, it was only after he recovered that his *fardbeyan* was recorded in the hospital.

5. Considering the submissions made by the learned APP for the State, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

6. Accordingly, the present anticipatory bail application stands rejected.

(Satyavrat Verma, J)

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