

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67985 of 2024

Arising Out of PS. Case No.-22 Year-2024 Thana- KARJAIN District- Supaul

Sunil Yadav @ Sunil Kumar Yadav Son of Late Mahavir Yadav village-
sitapur, Ps- karjain, dist- Supaul ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr N K Agrawal, Senior Advocate and
Mr. Arvind Kumar, Advocate
For the Opposite Party : Mr. Anuj Kumar Shrivastava, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-10-2024 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offence punishable under sections 379, 307, 506/34 and other ancillary sections of the Indian Penal Code.

3. As per the prosecution case, on dated 18.02.2004 at 12:00 noon accused Santosh Yadav, Saroj Mehra, the petitioner and Sintu Yadav came at the shop of informant on a motorcycle and they demanded cigarette as well as Rajnigandha from the informant. Accused persons took out the pistol, iron-rod and other weapons and entered into shop of the informant and took away cash of Rs 30,000/- from the counter. When the son of the informant objected, co-accused Sanosh Yadav assaulted on his head and shoulder by knife causing him injuries. Petitioner assaulted him with iron rod. Accused Sintu Yadav also assaulted him by sword causing injury on the shoulder.



4. Learned counsel appearing for the petitioner submits that there general and omnibus allegation of assault against the petitioner and allegation of assault with knife and sword is against co-accused Santosh Yadav and Sintu Yadav. As a matter of fact, petitioner was not present on the spot at the time of commission of alleged offence and he has been dragged in this case due to village politics.

5. Learned counsel for the State opposes the prayer for bail. He submits that the petitioner is named in the FIR with specific allegation that he along with other accused persons entered the shop of the informant, took out cash from the counter of the shop and on protest they brutally assaulted the son of the informant with iron rod, kinfe and sword. Injury report also opines that the victim sustained altogether three injuries. Moreover, petitioner has got four criminal antecedent.

6. Considering the nature and gravity of allegation as well as the criminal antecedent, prayer for bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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