

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67905 of 2024

Arising Out of PS. Case No.-35 Year-2024 Thana- KARANDAY District- Sheikhpura

Awadhesh Yadav @ Abdhesh Yadav @ Awdhesh Yadav @ Abadhesh Yadav
S/o- Shiv Yadav Village- Beniganj Tola Ghari, P.S. Karande, District-
Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Roop Kishan, Adv.

For the Opposite Party/s : Mr.Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 03-10-2024 Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the informant.

2. The petitioner is apprehending arrest in connection with Karandey P.S. Case No. 35 of 2024 instituted under Sections 147, 149, 341, 323, 324, 325, 307, 427 of the IPC lodged on 17.05.2024 by the informant, Fantush Kumar.

3. As per the prosecution story, the informant alleged that while they were moving on motorcycle, it was obstructed by the accused persons and when they fell down, attacked causing injuries both to him as also his brother. Accordingly, the FIR.

4. Learned counsel for the petitioner tried to impress upon this Court that the injuries have been found to be simple in



nature and further, they fell down due to the motorcycle accident and not due to any assault.

5. Learned counsel appearing on behalf of the informant submits that they had called 112 (police help) to save themselves and further, despite the observation made by the learned Sessions Judge, Sheikpura, in his order that the petitioner has three criminal antecedents, one criminal antecedent is missing in para-3 of the petition.

6. Perusal of para-3 would show that only two criminal antecedents have been mentioned while the learned Sessions Judge has observed about three criminal antecedents. There is nothing on record whether the observation made by the learned Sessions Judge is incorrect and/or the petitioner has third case also under his belt. This is clear suppression of fact, for which, no relief can be granted to the petitioner.

7. Accordingly, the anticipatory bail stands rejected.

(Rajiv Roy, J)

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