

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74280 of 2023**

Arising Out of PS. Case No.-42 Year-2022 Thana- BHANGWANPUR HAT District- Siwan

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DHANANJAY KUMAR @ DHANANJAY YADAV @ CHHEDI YADAV
S/O- VIDYA YADAV ALIAS BIDYA YADAV Village- Bherwania Ps-
Bhagwanpur Hat Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Advocate

For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

4 10-04-2024 1. Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 341, 323, 379, 307, 326, 504, 506/34 of the IPC.

3. The learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and has been falsely
implicated in the instant case by the informant.

4. It is next submitted that the informant alleges that
on 12.02.2022, his son went for a feast to the house of Alok
Sharma where petitioner and Rahul had also come for feasting



and there an altercation took place and while returning Sujit and others caught hand of his son and petitioner stabbed him causing injury on abdomen. Further Sujit snatched Rs.15,000/- from his son and thereafter injured was brought to the government hospital from where he was referred to Sadar Hospital, Siwan.

5. The learned counsel submits that similarly situated co-accused Pappu and Rahul had approached this Court seeking anticipatory bail by filing Cr. Misc. No.36424 of 2022 and the same was allowed by an order dated 29.11.2022, on the premise that why fardbeyan was not recorded at the government hospital and when it is being alleged in the FIR that the injured was taken to the hospital for treatment.

6. The learned APP, Mr.Chandra Bhushan Prasad vehemently opposes the anticipatory bail application and submits that the consideration for grant of bail to the accused persons, namely, Pappu and Rahul was for the reason that they were not alleged to have assaulted the injured, but in the FIR there is specific allegation against this petitioner of assaulting the injured by knife and that too on vital part of his body i.e. stomach. It is also submitted that from perusal of the order impugned, it would manifest that the learned Sessions Judge has recorded about the injury found on the injured.



7. Considering the submission made by the learned APP, this Court is not inclined to extend the privilege of anticipatory bail to the petitioner, accordingly, the anticipatory bail application is rejected.

(Satyavrat Verma, J)

Prakash Narayan

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