

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75593 of 2024

Arising Out of PS. Case No.-13 Year-2024 Thana- SIRARI District- Sheikhpora

1. Surendra Kumar Yadav Son of Late Sito Tadav Resident of Village - Paigambarpur, P.O - Maninda, P.S - Sirari, District - Sheikhpora
2. Bickey Kumar Son of Surendra Kumar Yadav Resident of Village - Paigambarpur, P.O - Maninda, P.S - Sirari, District - Sheikhpora

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Adv.

For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-11-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. Learned counsel for the petitioners seeks permission to withdraw this application with regard to petitioner no.1, submitting that during pendency of this application petitioner no.1 has been apprehended by the police.

3. Permission is granted.

4. Accordingly, this application is dismissed as withdrawn with regard to petitioner no.1.

5. Now, this application survives only for petitioner no.2.

6. The petitioner no.2 apprehends his arrest in case registered for the offence punishable under Sections 341, 323, 324, 325, 307, 379, 504, 506 and 34 of the Indian Penal Code.

7. As per the FIR, the allegation against the petitioner is to assault the informant with iron rod due to which he sustained injury.



8. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has been falsely implicated in the present case due to land dispute. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner and informant are gotiya and there is case and counter case between the parties. The present case is counter version of Sirari P.S. Case No. 12 of 2024. The petitioner has no criminal antecedent.

9. Learned APP for the State opposed the prayer for anticipatory bail. He further submits that there is direct allegation against the petitioner no. 2 to assault the informant brutally by means of iron rod causing grievous injury to him on his head.

10. Having regard to the facts and circumstances of the case as well as considering the nature of offence, I am not inclined to enlarge the petitioner no. 2 on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Sirari P.S. Case No. 13 of 2024.

(Anjani Kumar Sharan, J)

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