

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81483 of 2023

Arising Out of PS. Case No.-563 Year-2023 Thana- JAHANABAD District- Jehanabad

Shiv Kumar @ Tuntun Yadav Son Of Mathura Yadav R/O Village-
Goarakshani, P.S.- Jehanabad, Dist.- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Prasad Singh, Advocate
For the Opposite Party/s : Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-01-2024 Heard Mr. Arvind Prasad Singh, learned counsel for
the petitioner and Mr. Nand Kumar, learned Additional Public
Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Jehanabad Town P.S. Case No. 563 of 2023,
F.I.R. dated 18.06.2023 for the offences punishable under
Sections 341, 323, 325, 307, 379, 504 and 506/34 of the Indian
Penal Code.

3. According to prosecution case, the petitioner is
said to have entered into the house of the informant and
assaulted him by means of iron rod causing injuries on his head
and on his left hand knee.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that the



allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. He further submits that there is admitted land dispute between the parties due to which the present occurrence took place between the parties.

5. The learned Additional Public Prosecutor, on the other hand, on the basis of the materials available on the record has vehemently opposed the prayer for bail of the petitioner and submit that there is direct and specific allegation of assault attributed against the petitioner and in the injury report the doctor found red lacerated wound 3 cm x ½ cm x ½ cm present over skull vault in parietal region and the injuries were found grievous in nature.

6. Considering the aforesaid facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Jehanabad Town P.S. Case No. 563 of 2023 pending in the Court of learned Chief Judicial Magistrate, Jehanabad.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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