

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84629 of 2024

Arising Out of PS. Case No.-74 Year-2020 Thana- BARHARA KOTHI District- Purnia

Gopal Yadav @ Gopal Kumar Yadav S/O Rajendra Yadav @ Rajendra Rai
Res. of village- Aurahi ,P.S.- Barhara, District- Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bidhu Ranjan, Advocate

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-12-2024 Heard learned counsel for the petitioner and learned A.P.P. for
the State

2. The petitioner apprehends his arrest in Barhara P.S. Case No. 74 of 2020 registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504, 506 & 326/34 of the Indian Penal Code pending in the Court of learned A.D.J.-II, Purnia.

3. All the F.I.R. named accused persons including this petitioner in furtherance of their common intention armed with deadly weapons are said to have assaulted the informant and his family members with intention to kill them due to which they sustained injuries.

4. It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the



petitioner is not specific rather general and omnibus in nature. It is further submitted that both sides are neighbour having common passage for which the occurrence took place. Both sides have sustained injuries. It is further submitted that there is counter version of the case also lodged by the father of the petitioner. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State vehemently opposing the bail petition submitted that the petitioner assaulted the injured Nawab Yadav and the injury was found grievous in nature. Hence, the petitioner does not deserve anticipatory bail.

6. Considering the facts and circumstances of case and the nature of injury, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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