

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9929 of 2025

Arising Out of PS. Case No.-107 Year-2024 Thana- ARA MUFFSIL District- Bhojpur

Birendra Yadav Son of Gudul Yadav Resident of Village- Belaghat Mahuli,
P.S.- Ara Muffasil, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh, Adv.

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-02-2025 Heard Mr. Rajani Ranjan Pd. Singh, learned counsel for
the petitioner and Mr. Dilip Kumar No.1, learned A.P.P. for the
State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
325, 307, 504, 506, 448, 354, 379, 34 of the Indian Penal Code.

3. Allegedly, all the FIR named accused persons
including the petitioner are said to have abused and assaulted
the informant's side brutally by means of deadly weapons due
to which they have sustained injuries.

4. It is submitted by learned counsel for the petitioner
that petitioner is quite innocent and has committed no offence.
No such occurrence as alleged has ever taken place. He has
falsely been implicated in this case due to ulterior motive. The



allegation levelled against the petitioner is totally false and based on concocted facts. He has no concern with the alleged occurrence. It is further submitted that both the parties are neighbours and there is case and counter case between them. Both sides have sustained injuries in the alleged occurrence. Similarly situated co-accused has been enlarged on bail by this court vide order dated 20.11.2024 passed in Cr. Misc. No. 77619 of 2024. Learned counsel further submits that nothing specific has been attributed against this petitioner. He has two criminal antecedents as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail and submits that there is specific allegation against the petitioner and co-accused Abhishek to assault the informant brutally by means of iron rod with an intention to kill him due to which injured Ramesh Yadav (informant) has sustained grievous injury. Hence, the petitioner does not deserve the privilege of anticipatory bail.

6. Having regard to the facts and circumstances of the case, since petitioner is an author of grievous injury, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. Accordingly, the application stands dismissed.



8. However, if the petitioner surrenders before the learned Court below within six weeks from today and seeks regular bail, the learned Court below shall pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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