

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40043 of 2025

Arising Out of PS. Case No.-202 Year-2024 Thana- JOGSAR District- Bhagalpur

Nanahki Yadav @ Rahul Raj @Nanki Yadav Son of Sri Kant Yadav Resident
of village - Urdu Bazar, P.S.- Tatarpur, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subodh Prasad

For the Opposite Party/s : Mr. Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 01-09-2025 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Jogsar P.S. Case No.202/2024, registered for the offences
punishable under Sections 126(2), 115(2), 118(1), 109, 352,
351(2) of the B.N.S.S.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that her son aged about 14 years had gone for immersion
of Goddess Kali with Krishna and petitioner, further she
received an information on her mobile that a 14 year old boy is
lying in an injured condition, accordingly, the informant reached
the place of occurrence but was informed that the police has
taken the injured to the hospital, accordingly, the informant



came to the hospital and saw her son lying in an injured condition who disclosed that petitioner and Anand took him behind Bhola Baba temple and demanded Rs.500/-, on objection, Nanahki (petitioner) assaulted him with sword on back, while Kishore assaulted by *Dabiya* causing injury on head.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that even presuming what has been alleged is true without admitting then specific allegation of assaulting on head by *Dabiya* is against Kishore, while petitioner is alleged to have assaulted the victim by sword from behind on non-vital part of the body. It is next submitted that the parties have compromised also.

5. Learned A.P.P. vehemently opposes the prayer for anticipatory bail of the petitioner and submits that the injury of the victim has been opined to be grievous. It is further submitted that no doubt specific allegation of assaulting the victim is on Kishore who is alleged to have assaulted the victim by *Dabiya* on head but then the petitioner was also present at the place of occurrence and he is alleged to have assaulted the victim by sword. It is also submitted that both petitioner and Kishore were



present at the place of occurrence, as such they felt emboldened in assaulting a 14 year old boy. It is also submitted that investigation in the case is continuing.

6. Considering the submissions made by the learned APP, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. The prayer for anticipatory bail of the petitioner is rejected.

(Satyavrat Verma, J)

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