

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86251 of 2024

Arising Out of PS. Case No.-277 Year-2024 Thana- PUNPUN District- Patna

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Ram Sewak Yadav S/O Saryug Yadav Resident of Village- Nuruddinpur, P.S.-
Punpun, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheonandan Pandit, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 13-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Punpun P.S. Case No. 277 of 2024 dated 01.09.2024, lodged under Sections 126(2), 118(1), 109, 351, 352, 3(5) of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”).

3. As per the prosecution, FIR has been lodged against four named accused persons including the present petitioner. It is stated in the FIR that they have assaulted on the head of the informant, due to which, he becomes unconscious and send to hospital at Patna.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel



submits that whatever be the allegation, they all are general and omnibus allegation against the petitioner. There is no specific allegation against the petitioner that he has assaulted to anyone. He further submits that in this case, he has filed a Supplementary counter affidavit and from which it transpires that there are three criminal cases pending against the petitioner and in all three cases, he is on bail. He also submit that whatever the statement in the FIR, re-statement are mismatched. In the FIR allegation against the petitioner

5. Learned counsel for the informant who appears *suo motu* vehemently opposes the prayer for bail and submits that case diary has been called for on previous occasion and submits that in para nos. 39 & 40 of the case diary, the independent witnesses have deposed against the present petitioner that by the iron rod at his hand, he has assaulted the victim, due to which, he become unconscious and went to hospital.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the injury has been made on the vital part of the head. From the injury report, it has been annexed by the police. In the case diary, it transpires that injuries are grievous in nature.

7. In the present facts and circumstances, this Court is



not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

(Dr. Anshuman, J)

Sudhanshu/-

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