

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28041 of 2026

Arising Out of PS. Case No.-160 Year-2025 Thana- KATORIYA District- Banka

Sudhir Yadav S/o- Ramsahi Yadav Village- Rampur, Police Station-Katoriya,
District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 01-05-2026 Heard the parties.

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Katoriya P.S. Case No. 160 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 109(1), 74, 351(2), 3(5) of BNS.

3. As per FIR petitioner alleged to assault informant on the head by *lathi* during the occurrence with an intention to cause his death where occurrence is alleged to be taken place out of land dispute.

4. It is submitted by learned counsel appearing on behalf of the petitioner that the assault as per FIR not



appears repeated, however he conceded that the injury as alleged to be caused by this petitioner was found grievous in nature which was on head. It is submitted that the occurrence took place out of land dispute and as the assault was not said to be repeated, therefore, it can be safely said that petitioner was not under intention to cause death. While concluding argument, it is submitted that petitioner claimed clean antecedent.

5. Learned APP while opposing the prayer of bail submitted that assault was specifically caused by this petitioner was found upon vital part of the body i.e., head of the injured and that to grievous in nature.

6. In view of aforesaid factual submission and by taking note of fact as the grievous injury was found on the head of the informant, which is specifically alleged to be caused by this petitioner, accordingly, the anticipatory bail of petitioner stands **rejected**.

(Chandra Shekhar Jha, J)

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