

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20428 of 2016

Arising Out of PS.Case No. -379 Year- 2015 Thana -FORBESGANJ District- ARRARIA

Munna Yadav Son of Devnandan Yadav

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma, Advocate

For the Opposite Party/s : Mr. Ajit Kumar(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-05-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 324, 354, 379 and 504 of the Indian Penal Code.

Prosecution case is that on 08.08.2015 at 9.00 AM all the accused persons came armed with *lathi*, in the background of land dispute, started abusing father-in-law of the informant and made assault. On alarm being raised when the informant and one Bandana Kumari came out of the house, then they were chased by the accused persons and they after entering into their house made assault to them. In course of assault, petitioner Munna Yadav and Prakash Yadav, pulled the '*saree*' of the informant and made her half naked when co-accused Stayling Yadav tore her blouse. It is further alleged that co-accused Mithu Yadav snatched gold chain and ear-ring of the informant when co-accused Dilkhush and Ajay

took out Rs.40,000/- from a box, kept in the room whereas co-accused Sujit Yadav assaulted on the neck of the informant with 'farsa' which hit on her head.

It is submitted by learned counsel for the petitioner that in the background of property dispute the accusation has been levelled. For the occurrence of 08.08.2015 at 9 A.M., the FIR was registered on 12.08.2015 at 5.00 PM. The accusation of assault is against co-accused Sujit Yadav. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the delayed lodging of the case and there is no accusation of assault against this petitioner, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Araria, in connection with Forbesganj (Simraha) P.S. Case No.379/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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