

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30826 of 2016

Arising Out of PS.Case No. -104 Year- 2016 Thana -GIRIYAK District- NALANDA
(BIHARSHARIFF)

1. Sanjay Yadav
2. Ashok Yadav Both are son of Bhola Yadav, All Village- Guijar Bigha,
P.S. Giriak, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumari Sujata Sinha, Advocate

For the Opposite Party/s : Mr. Sri Ajay Kumar -2

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-08-2016

It is submitted by the learned counsel for the petitioners that petitioner no. 1 namely Sanjay Yadav has been arrested and his application has become infructuous and seeks permission to withdraw his anticipatory bail application. Permission is accorded.

The anticipatory bail application of petitioner no. 1 namely Sanjay Yadav is dismissed as withdrawn.

Heard learned counsel for the petitioner no. 2 and the State.

Petitioner no. 2 namely Ashok Yadav is

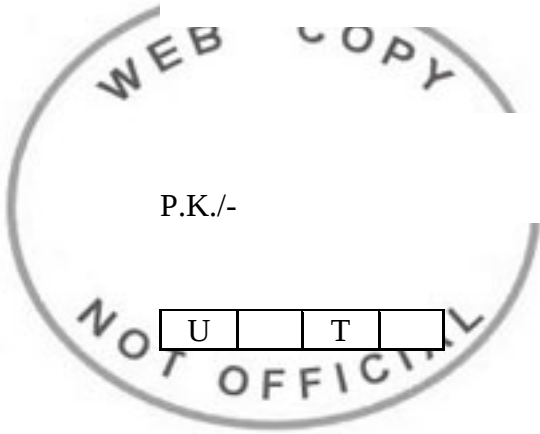
apprehending his arrest in a case registered for the offences punishable under Sections 341, 406, 409, 420, 354(B), 354A, 504, 506, 323/34 of the Indian Penal Code.

The prosecution case is that on 18.04.2016 at 5.30 A.M. the petitioner being the owner of the brick kiln came to the hut of the informant, who was working as a labour in the brick kiln abused and assaulted the informant and tore her blouse and threatened to go out from the brick kiln area. It is further alleged by the informant that the petitioner in order to misappropriate the due amount of Rs. 2,00,000/- of the informant has committed the offence. Earlier also the informant used to tease the informant.

It is submitted by learned counsel for the petitioners that for the occurrence of 18.04.2016 at 5.30 A.M., the First Information Report was lodged on 18.04.2016 at 3.15 P.M., but the same reached to the court of learned Chief Judicial Magistrate on 21.04.2016 which suggests that First Information Report was registered by ante dating.

Considering the nature of accusation, it is a case for consideration of prayer for regular bail, let the learned court below consider the prayer for regular bail of the petitioner no. 2 namely Ashok Yadav, if he surrenders before the learned court below within a period of six weeks from today in connection with Giriyak P.S. Case No. 104 of 2016, pending in the court of learned Chief Judicial Magistrate, Nalanda at Biharsharif.

With the above observation this
application is disposed of.



(Dinesh Kumar Singh, J)