

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40211 of 2016

Arising Out of PS.Case No. -65 Year- 2016 Thana -VISHNUPAD District- GAYA

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Hemant Yadav S/O Late Ramchander Yadav, resident of Village-
Madanpur, P.S. Vishnupad, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Adv.

For the Opposite Party/s : Dr. Indihar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-09-2016

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 498A, 341, 323, 324, 307 and 506/34 of the Indian Penal Code.

The basic accusation is of torture and making assault to the infant baby.

It is submitted by the learned counsel for the petitioner that the petitioner admits his marriage with informant and birth of three children. It is further submitted that the petitioner is ready to keep the informant as wife with full dignity and honour, statement to that effect has been made in para 9 of the petition which reads as follows:-

“That the petitioner is ready to keep the informant as his

wife with full honour and dignity.”

It is submitted by learned counsel for the informant that the petitioner has not only tortured the informant but also assaulted the infant baby causing injury. The petitioner has kidnapped a marriage girl for which Bodh Gaya P.S. Case No. 280 of 2016 has been registered. It is further submitted that the petitioner is not on bail in the said case. Though, the petitioner is also accused in Civil Line P.S. Case No. 74 of 2011 registered under Section 366A of the IPC, Civil Line P.S. Case No. 74 of 2011 registered under Sections 294 of 2010, Civil Line P.S. Case No. 64 of 2013 and Vishnupad P.S. Case No. 100 of 2015 registered under Sections 323 and 307 of the IPC but he is on bail in above four cases, though, statement to that effect has not been made in the petition.

Considering the nature of accusation and criminal antecedent of the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected in connection with Vishnupad P.S. Case No. 65 of 2016 pending in the court of learned CJM, Gaya.

(Dinesh Kumar Singh, J)

Amrendra/-

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