

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5324 of 2016

Arising Out of PS.Case No. -120 Year- 2015 Thana -SHAKURABAD District- JEHANABAD

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Bithal Yadav @ Bilat Yadav

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Paras Nath

For the Opposite Party/s : Mr. Manoj Kumar 1(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-02-2016

Heard learned counsels for the petitioner, informant and the State.

The petitioner being elder brother of the husband of the informant's daughter is apprehending arrest in a case registered for the offences punishable under Sections 341,323,324,379 and 498A/34 of the Indian Penal Code.

The basic accusation is of torture. It is alleged that on 10.11.2015 when the informant went to inlaws' house of his daughter then accused persons made assault and snatched six thousand rupees from the informant.

It is submitted by the learned counsel for the petitioner that the accusation is omnibus and general and with similar accusation the father of the petitioner has been granted anticipatory bail by the learned Sessions Judge which gets

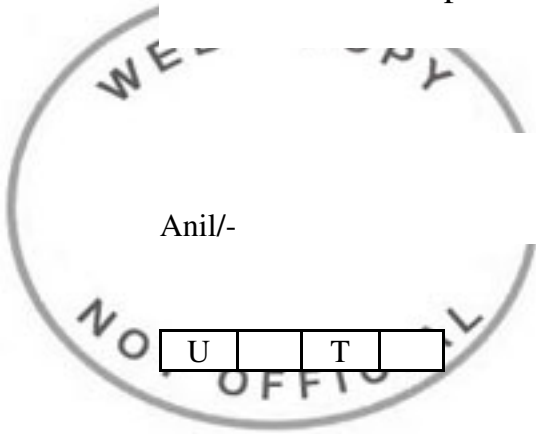
reflected from the impugned order.

It is submitted by the learned counsel for the informant that the assault was made on the head of the informant's daughter but this fact has not been denied that the accusation is omnibus and general against the entire inlaws including the husband of the informant's daughter.

Considering the thrust of accusation against the husband of the informant's daughter, 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 twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Jehanabad in connection with Shakurabad P.S. Case No.120 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bonds of the petitioner will be accepted on filing of an affidavit by the petitioner before the learned court below that he will allow the informant's daughter to enjoy her share in the property of matrimonial house and will not interfere with the day to day affairs of the informant's daughter. The said affidavit will be transmitted by the learned court below to the concerned I.O. Any violation of the aforesaid undertaking will

give liberty to the learned court below to cancel bail bonds of the petitioner.



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(Dinesh Kumar Singh, J)