

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51456 of 2017

Arising Out of PS. Case No.-278 Year-2017 Thana- DEHRI TOWN District- Rohtas

Dharmendra Yadav @ Dharmendar Yadav S/o Vijay Yadav, R/o near Apsara
Cinema Hall Besides of Mahila Thana, P.O. and P.S.- Dehri, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pandey

For the Opposite Party/s : Mr. SRI NITYANAND TIWARY

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 09-11-2017 Heard learned Counsels appearing on behalf of the
petitioner and the State.

The petitioner is apprehending arrest in a case
registered for the offences punishable under Sections 341, 323,
307 and 354B/34 of the IPC.

The prosecution case got initiated on a written report
of one Chinta Kunwar, submitted to the SHO of Dehri (T)
Police Station, with accusation that on 18.04.2017, at 11.30
AM when the informant was sleeping, co-accused, Sonu
Pandey and the petitioner Dharmendra Yadav, knocked the
door of the informant and abused, but the informant did not
open the door. On 19.04.2017, at 10 AM, Sonu Pandey, Santi
Kunwar and the petitioner entered into the house of the



petitioner and made assault. Specific accusation of assault has been levelled that Shanti Kunwar handed over a brick to Sonu Pandey, who assaulted with brick on the head of the informant.

It is submitted by learned Counsel appearing on behalf of the petitioner that the only injury on the head of the informant has been found superficial, simple in nature. The accusation of assault with brick is against co-accused Sonu Pandey. Moreover, there is dispute with regard to amount of loan given by the petitioner to the informant. A statement has been made in paragraph no.3 of the petition that the petitioner has no criminal antecedent. Moreover, Shanti Devi, who alleged to have handed over the brick to Sonu Pandey to assault the informant has been granted bail by the learned Court below itself through the impugned order.

Considering the fact that the thrust of accusation of assault is alleged against, co-accused, Sonu Pandey and the informant has received only one injury which is simple in nature coupled with statement made in paragraph no.3 of the petition that the petitioner has no criminal antecedent, 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 Rs.10,000/-



(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Dehri, in connection with Dehri (T) P.S. Case No.278 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

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