

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43041 of 2018

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Mahesh Kumar Yadav son of Late Lutan Yadav, resident of village-
Murlachak, P.S.- Warisaliganj, District- Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar, Advocate

For the State : Mr. Akbar Ali, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH
ORAL ORDER

2 20-07-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Warisaliganj P.S. Case No.190 of 2018 registered under Sections
341, 323, 353 and 427 of the Indian Penal Code. deter

It is submitted by the learned counsel for the petitioner
that there is no allegation of assault or use of criminal force in
detering the informant from discharge of his official duties in
order to attract provision of Section 353 of the Indian Penal Code.
It is submitted that save and except Section 353 of the Indian
Penal Code all other Sections alleged in the first information
report are bailable in nature. The implication of the petitioner in
the instant case is only because he had lodged a complaint and



requested for completing the work of drain which was kept incomplete which caused annoyance to the officials of the Nagar Panchayat.

Learned counsel for the State has opposed the prayer for grant of pre-arrest bail to the petitioner.

Considering the facts and circumstances of the case, in the event of arrest or surrender in the court below within six weeks from today, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Nawada in connection with Warisaliganj P.S. Case No.190 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Md.S./-

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