

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.66456 of 2018

Arising Out of PS. Case No.-10 Year-2018 Thana- SAHODARA District- West Champaran

Satyanarayan Prasad Yadav, S/o Late Nepal Raut, R/o Village-Madiha, P.S. Sahodara, Distt.-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.
For the Informant : Mr. Md. Azimuddin, Adv.
For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 14-12-2018 Heard Mr. Bimlesh Kumar Pandey, the learned counsel for the petitioner, Mr. Md. Azimuddin, learned counsel for the informant and Mr. Lakshmi Kant Sharma, learned Addl. Public Prosecutor for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Sahodara P.S. Case No. 10 of 2018, dated 17.02.2018, instituted for the offences under Sections 341, 323, 324, 354, 447 and 379/34 of the I.P.C.

The petitioner along with his wife and others is said



to have assaulted the informant and others and also made attempts to disrobe the informant.

The learned counsel for the petitioner has submitted that without any motive, the aforesaid occurrence is alleged to have been committed by the petitioner. The real cause of occurrence is something else. The petitioner had earlier filed a case *vide* Sahodara P.S. Case No. 7 of 2018 against the husband of the informant of the present case for having made attempts to outrage the modesty of his daughter. In any view of the matter, the injuries suffered by the victim are all simple in nature.

The learned counsel appearing for the informant has drawn the attention of this Court to the fact that earlier also the petitioner was involved in similar type of offences and in one of such cases when he was granted regular bail, a Bench of this Court had directed that if such kind of occurrence is repeated in future, the Court will consider the feasibility of withdrawing/cancelling the bail granted to the petitioner.

This Court has taken note of the aforesaid facts



and it finds that in all the cases in which the petitioner has been made accused earlier, he has been granted bail. That apart, this Court has also noticed the fact that the petitioner and the informant are neighbours and there is long standing dispute between them, leading to filing of cases quite often.

However, considering the nature of accusation in the F.I.R. as also the fact that the petitioner has offered his own version of the occurrence, he, in the event of his arrest or surrender before the learned Court below within a period of four weeks from the date of receipt/production of a copy of the present order, be released on bail on his furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bettiah, West Champaran in connection with Sahodara P.S. Case No. 10 of 2018, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

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