

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69537 of 2018

Arising Out of PS. Case No.-300 Year-2018 Thana- DINARA District- Rohtas

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Sudarshan Yadav, S/o Late Chandradeep Yadav, Resident of Village-
Ghorwachh, P.S.- Dinara, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surender Prasad Singh

For the Opposite Party/s : Mr. Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 17-12-2018 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Dinara P.S. Case No. 300 of 2018 disclosing offences under Sections 341, 323, 307, 379, 504 and 506/34 of the Indian Penal Code.

A petty dispute between the parties of having left bricks in the field of the informant by the accused persons, is the reason behind occurrence, as alleged in the F.I.R.

This is not in dispute that for the same occurrence there is a counter case registered by the side of the accused on the same day.

Learned counsel, appearing on behalf of the petitioner, has submitted that no offence under Section 307 of



the I.P.C. can be said to be made out as even if the allegations are taken to be true, there was no intention to kill the informant.

Learned counsel appearing on behalf of the informant, on the other hand, while opposing the prayer for anticipatory bail, has submitted that the main allegation of assault causing grievous injury is against this petitioner and, therefore, he does not deserve anticipatory bail. He has also submitted that it is true that there is a counter case for the same occurrence but no member from the side of the petitioner had received any grievous injury.

Considering the genesis of occurrence, this application is allowed. Let the petitioner, above named, in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Class Judicial Magistrate, Bikramganj, Sri L.B. Paswan, Dist. - Rohtas in Dinara P.S. Case No. 300 of 2018 (G.R. No. - 990 of 2018), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as



and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

HR/Ragini

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