

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65141 of 2018

Arising Out of PS. Case No.-289 Year-2018 Thana- NAWADA District- Nawada

Ashok Yadav Son of Bachu Yadav@ Bochohu Yadav Resident of Village-
Lohani Bigha, P.S. Nawada, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Mr. Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-12-2018 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147,148,149,447,448,341,323,427,307 and 379 of the IPC.

The prosecution case is that on 1.5.2018 at about 7.30 P.M. the accused persons including the petitioner came variously armed and damaged the house of the informant. On 2.5.2018 at 10 A.M. all the accused persons variously armed again came and started assaulting the informant due to which she received head injury. When the husband of the informant and her son came to rescue then co-accused Mithilesh Yadav assaulted the son of the informant with the butt of rifle causing injury on his head while co-accused Ashok Yadav (petitioner) assaulted the son of the informant with Garasa on his head. Thereafter other



accused persons also assaulted the informant side.

It is submitted by learned counsel for the petitioner that in the background of land dispute the petitioner being agnate of the informant has been implicated in this case. It is further submitted that Nawada Town P.S. Case No. 288 of 2018 was filed by co-accused Mithilesh Yadav against the informant whereas wife of co-accused Bachchu Yadav lodged Nawada P.S. Case No. 268 of 2018 against the informant and others. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent. Co-accused Mithilesh Yadav, Santosh Yadav, Ritesh Yadav and Soni Yadav have been granted anticipatory bail vide order dated 30.8.2018 passed in Cr. Misc. No. 47657 of 2018.

Learned APP submits that there is specific accusation against the petitioner.

Considering the genesis of the occurrence and the statement made in paragraph 8 of the petition that no injury report is on record, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Nawada in connection with Nawada Town



P.S. Case No.289 of 2018 subject to the conditions laid down in
Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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