

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62126 of 2017

Arising Out of PS. Case No.-30 Year-2017 Thana- PARWATTA District- Khagaria

Hari Yadav, S/o Yugo Yadav @ Vgandeo Yadav, R/o Village- Khiradih, P.S.-
Parbatta, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Adv.

For the Opposite Party/s : SRI S.M. RAHMAN, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 02-01-2018 Heard learned Counsels for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 448, 427, 307, 354B, 504/34 of the Indian Penal Code.

The prosecution case got initiated on the written report of Sarita Devi to the effect that on 27.01.2017 at 6 P.M. while the informant was sitting inside her shop, in the meantime, co-accused, Munna Gupta, instigated the petitioner to kill the informant, whereupon, the petitioner entered into her shop and destroyed the articles in shop. On protest being made, the petitioner abused the informant and dragged her, as a result



she got naked and assaulted with lathi causing injury on the head of the informant.

It is submitted by learned counsel for the petitioner that for a petty dispute the accusation has been levelled. Moreover, for the occurrence of 27.01.2017 at 6.00 PM, the FIR was registered on 28.01.2017 at 10.30 AM, when the Police Station is only 7 K.M. away from the place of occurrence. The impugned order does not suggest that informant has received any grievous injury. In fact, the petitioner protested against selling of duplicate articles by the informant, hence, maliciously the accusation has been levelled. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Considering the nature of accusation, particularly, the impugned order does not suggest that any grievous injury has been caused to the informant, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any 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 ACJM-1, Khagaria, in connection with Parbatta P.S. Case No. 30 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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