

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7786 of 2019

Arising Out of PS. Case No.-141 Year-2018 Thana- AKBARPUR District- Nawada

Suresh Yadav @ Suresh Prasad, S/o Baijnath Yadav, Resident of Village-
Chitabigha, P.s.- Akbarpur, 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.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 341, 323, 307, 337, 379, 504, 34 of the Indian Penal Code.

The prosecution case, in short, is that on account of trivial issue like breaking the *nala* (drainage), the mother of the informant forbade upon which the accused persons abused his mother and assaulted and when the informant and others came in rescue, they were also assaulted.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the



present case. There is a case and counter case between the parties. The nature of injury is said to be simple. Hence, no offence under Section 307 IPC is made out.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Akbarpur P.S. Case No. 141 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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