

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12515 of 2019

Arising Out of PS. Case No.-153 Year-2018 Thana- HISUWA District- Nawada

Samendra Yadav @ Dharmendra Yadav aged about 25 years Male, Son of
Gorelal Yadav Resident of Village - Woro, P.S-Hisua, Dist.-Nawada

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dwivedy Surendra

For the Opposite Party/s : Mr.Manish Kumar No2

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 07-03-2019 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner is seeking anticipatory bail in connection with Hisua P.S. Case No. 153/2018 registered under Sections 147, 148, 149, 323, 448, 427, 307, 354(B), 379 and 504 of the Indian Penal Code.

Learned counsel for the petitioner submits that there are general and omnibus allegation against the petitioner along with other accused that they had assaulted the informant side. So far as this petitioner is concerned, it is alleged that the petitioner had tried to outrage the modesty of the informant and when her Gotni Seema Devi tried to save her then the co-accused Gajendra Yadav assaulted her with Lathi.



Learned counsel submits that both the informant and petitioner's side are own Gotias and are having land dispute between them which has given rise to the present case. It is submitted that the allegations are false and flimsy allegations just to give rise a criminal proceeding. It is further submitted that the similarly situated co-accused have been granted privilege of anticipatory bail by a learned coordinate Bench of this court in Cr. Misc. No. 72890/2018, a copy of the order has been brought on record as Annexure-5.

Considering the facts and circumstances of the case wherein the submission of petitioner is that there is no specific allegation of assault attributed to this petitioner, he has no criminal antecedent and then the co-accused similarly situated have been granted privilege of anticipatory bail by learned coordinate Bench of this court in Cr. Misc. No. 72890/2018 save and except petitioner nos. 1 & 2 of the said case against whom there has been specific allegation of assault, in the event of his arrest/surrender before the court below within a period of four weeks, let the above-named petitioner be enlarged on bail furnishing bail



bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada, in connection with Hisua P.S. Case No. 153/2018, subject to condition that petitioner shall join investigation by reporting to the Investigating Officer within a period of two weeks from today and shall cooperate in course of investigation. This will be in addition to condition prescribed under Section 438(2) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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