

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16257 of 2019

Arising Out of PS. Case No.-55 Year-2019 Thana- GAYA KOTWALI District- Gaya

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Anand Kumar @ Anand Yadav, aged about 27 years (M), Son of Janki Prasad Yadav @ Janki Yadav @ Baidehi Yadav At present Residing at B.N. Jha Marg, Devi Asthan, Murarpur, P.S.- Kotwali, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Deepak Kumar

For the Opposite Party/s : Mr.Choubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 25-03-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is apprehending his arrest in connection with Kotwali P.S. Case No. 55 of 2019 registered for offences under sections 341, 323, 427, 448, 504, 506, 34 of the Indian Penal Code and Section 37 (i) (ii) of the Bihar Prohibition Excise Act, 2016.

In the present case, an allegation has been made that when the Informant was closing his shop, in the meantime, the accused persons, namely, Surendra Yadav @ Pappu Yadav, Anand Yadav and Janki Yadav @ Vadaihi Yadav along with 8-10 other co-accused persons came there and started abusing the Informant and also assaulted mercilessly by belt and fist. All the



accused persons were completely intoxicated by taking wine.

The petitioner is the brother-in-law of Surendra Yadav and, along with them, younger brother of the Informant, namely, Braj Bhushan Pathak was also standing there.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case as there was a dispute between the Informant and his brother Braj Bhushan Pathak and the petitioner had only gone there at the place of occurrence where they were fighting with each other. He further submits that the allegation of taking wine is completely incorrect and all the sections under the Indian Penal Code are bailable in nature.

Looking to the entire facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise), Gaya in connection with Kotwali P.S. Case No. 55 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioner for investigation/interrogation, he will remain present



and if he would not present himself, the privilege of grant of
anticipatory bail shall be deemed to have been canceled.

(Shivaji Pandey, J)

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