

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80315 of 2019

Arising Out of PS. Case No.-138 Year-2019 Thana- ATRI District- Gaya

SUBODH YADAV S/o Rajeshwari Yadav Resident of Village- Mafa, P.S.-
Atri, District- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar Sinha

For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 09-12-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner apprehends his arrest in a case registered
under Sections 341, 323, 324, 308, 354B, 379, 504, 506/34 of
the Indian Penal Code and 37(C) of Bihar Prohibition of Excise
Act.

Informant has alleged in her written complaint that on
09.04.2019 at about 1.30 PM her co-villagers Rajeshwari Yadav,
Panu Devi, Manisha Devi, Dulari Devi and Subodh Yadav
(petitioner) came in intoxicated condition and started abusing
them and further allegation is against Panu Devi, Manisha Devi
and Subodh Yadav (petitioner) of assaulting by lathi and danda,
as a result of which her husband is suffering body-ache. They
also snatched away ear ring and Rs. 15,000/- and threatened to



kill them.

It has been submitted on behalf of petitioner that present case is a counter blast of case instituted by Rajeshwari Yadav one of the accused against the informant in which petitioner's side had suffered injury. The FIR instituted by side of petitioner is of prior time and thereafter present FIR was instituted.

Considering the nature of allegation to be omnibus and general and no injury is sustained by the informant's side and there being a case and counter case, prayer of anticipatory bail of the petitioner is allowed in the event of arrest or surrender before the court below within four weeks from today, Petitioner is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned court below, in connection with Atri P.S. Case No. 138 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(S. Kumar, J)

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