

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57298 of 2019

Arising Out of PS. Case No.-42 Year-2019 Thana- DERNI BAZAR District- Saran

Yogendra Rai, Son of Late Mosafir Rai Resident of Village- Jaminpur, P.S.-
Derni, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harish Kumar

For the Opposite Party/s : Mr.Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-09-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with
Derni P.S. Case No.42 of 2019 for the offence punishable under
Sections 323, 324, 307, 147, 148, 354, 34 of the Indian Penal
Code.

The allegation against the petitioner is that petitioner
along with other co-accused persons assaulted the Dewar of the
informant and her nephew.

Learned counsel appearing for the petitioner submits
that both the parties are neighbours and there was dispute
between them on trivial issue and there is case and counter case
between the parties inasmuch as for the same incident, Derni
P.S. Case No.181 of 2018 has been lodged by the side of the



petitioner. Learned counsel relying upon Annexure-4 submits that injury caused to the Dewar of the informant is simple in nature. Learned counsel further submits that from perusal of the FIR, it would be evident that petitioner is merely an order giver.

After having heard learned counsel for the petitioner as well as learned counsel appearing on behalf of the State and taking into consideration the fact that both the parties are neighbours, there is case and counter case between them and the injury caused to the Dewar of the informant is simple in nature, as such, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, is directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by him, he shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VII, Saran at Chapra, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

sanjeev/-

U		T	
---	--	---	--

