

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66660 of 2019

Arising Out of PS. Case No.-237 Year-2019 Thana- ISLAMPUR District- Nalanda

1. YOGENDRA YADAV Son of Adi Gope, Resident of Village - Harseni, P.S.- Islampur, District - Nalanda.
2. Kanchan Devi Son of Yogendra Yadav, Resident of Village - Harseni, P.S.- Islampur, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 23-10-2019 Heard both sides.

Petitioners apprehend their arrest in Islampur P.S.
Case No.237 of 2019 registered under Sections 307, 379 and
other sections of the Indian Penal Code.

The informant alleged that Yogendra Yadav (petitioner no.1) having armed with a gun came at the door of the informant and began to abuse the informant. On protest, the petitioner no.1 caught the wife of the informant and engaged in scuffle with her. Yogendra Yadav fired and tried to outrage the modesty of the wife of informant. The pellet went through touching the nose of the informant. It is further alleged that Kanchan Devi (wife of Yogendra Yadav), Mrityunjay Yadav



(son of Yogendra Yadav) pelted stones.

Learned counsel for the petitioners submits that of course there is allegation of firing against Yogendra Yadav. The informant got one abrasion over nose. On X-ray, the injury was found normal caused by hard and blunt object and simple in nature.

It appears that no specific allegation is made against petitioner no.2, namely, Kanchan Devi (wife of Yogendra Yadav). She is alleged to have come and pelted stones.

Having considered the facts aforesaid, petitioner nos.2, namely, Kanchan Devi, in the event of her arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged 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 A.C.J.M., Hilsa, Nalanda in connection with Islampur P.S. Case No.237 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

So far the case of petitioner no.1, namely, Yogendra Yadav is concerned, there is specific allegation that not only he made an attempt to outrage the modesty of the wife of the



petitioner but also assaulted the informant and fired. The injury of course appears to have been caused by hard and blunt object but the dimension of injury shows that it is $\frac{1}{4}$ inch x $\frac{1}{8}$ inch and the injury appears to have been caused by pellet of a gun which is a hard and blunt object.

Having considered the facts aforesaid, I am not inclined to enlarge petitioner no.1, namely, Yogendra Yadav on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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