

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.832 of 2020

Arising Out of PS. Case No.-685 Year-2019 Thana- TURKAULIYA District- East
Champaran

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KANHAIYA YADAV @ KANHAIYA KUMAR Son of Aarma Yadav
Resident of Village-Laxmipur Gadariya, P.S.-Raghunathpur O.P., District-East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-06-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 341, 323, 332, 427, 188 and 504 of the
Indian Penal Code.

The prosecution case, in short, is that while the
informant was serving a notice on the petitioner, he became
infuriated, destroyed the said notice and misbehaved with the
informant.



It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner had no intention to commit the alleged occurrence. Due to hot exchange of words between the parties, a scuffle had taken place. The petitioner has been made accused due to mistake of fact.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the facts and circumstances of the case and also the lockdown, the petitioner above named, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Turkauliya (Raghunathpur) P.S. Case No. 685 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the Court concerned in connection



with the aforesaid case.

(Sudhir Singh, J)

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