

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6378 of 2020

Arising Out of PS. Case No.-201 Year-2019 Thana- SISWAN District- Siwan

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DHARMENDRA YADAV Son of Ramshankar Yadav Resident of Village -
Nagai, P.S.- Siswan, Dist.- Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramchandra Sahni

For the Opposite Party/s : Mr. Satyendra Narayan Singh

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

2 18-06-2020 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 341, 323, 307, 504, 506/34 of the Indian Penal Code.

Informant in his written complaint has alleged that on 15.10.2019 at about 8:30 am he was fishing near Pulia situated at Nauka Band, Ramgarh and Santosh Yadav and Bharat Mahto were also fishing by the side of him and in the meantime both started abusing and assaulting him and when the villagers intervened the matter was pacified and then he and Santosh and Bharat went to their respective house. On the same day at about



9:30 pm when he was returning from the house of his cousin sister, petitioner along with FIR named accused variously armed with lathi came and started abusing and assaulting him on account of which he sustained injuries and when the villagers came all accused persons fled away.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to dirty village politics. It has been submitted on behalf of petitioner that informant in his written complaint has alleged that seven persons including the petitioner brutally assaulted the informant by means of lathi but no injury has been found on the person of the informant as would be evident from perusal of injury report (Annexure -2). Petitioner has got no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Siswan (Chainpur O.P) P.S. Case No.201 of 2019 subject to the condition as laid down



under Section 438(2) of the Cr.P.C with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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