

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 11987 of 2020

Arising Out of PS. Case No.-243 Year-2019 Thana- KAKO District- Jehanabad

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Dipak Yadav @ Dipak Kumar S/o Vijay Yadav Resident of Village -
Mirzapur, P.S. - Kako, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nitya Nand Neeraj, Advocate

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 25-08-2020 Heard learned counsel for the petitioner and learned
counsel for the State through video conferencing.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Kako P.S. Case no. 243 of 2019 registered under sections 307, 341, 323, 379, 504, 506 and 34 of the Indian Penal Code.

As per allegation in the FIR, it is stated that while the informant was at her home, the three named accused persons including the petitioner herein came, started to abuse and assaulted the informant and others. It is stated that the petitioner struck with a lathi injuring her son Amit Kumar. Thereafter the accused persons took away her gold chain etc threatening the informant that the entire family would be killed in case any case was lodged.

It is submitted by learned counsel for the petitioner



that the allegation as levelled in the FIR are false and concocted. The manner of occurrence is other than what has been narrated in the FIR and the nature of injury on the informant has been found to be simple in nature.

The application for bail is opposed by learned counsel for the State.

The case diary called for in the instant case has been received. Further, a report had also been called for from the doctor concerned with respect to the nature of injury on the son of the informant namely, Amit Kumar. As per the copy of the supplementary report dated 10.7.2020 of the Medical Officer, Sadar Hospital, Jehanabad addressed to the Officer In-charge, P.S. Kako, the nature of injury found on the son of the informant, in the opinion of the doctor, is simple.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the nature of injuries having been found to be simple as also the petitioner not having any criminal antecedent, the Court is inclined to enlarge the petitioner on anticipatory bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Kako P.S. Case no. 243 of 2019



he will 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 Judicial Magistrate 1st Class, Jehanabad subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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