

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17068 of 2020

Arising Out of PS. Case No.-384 Year-2012 Thana- GAYA COMPLAINT CASE District-
Gaya

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RAJENDAR YADAV @ RAJENDRA YADAV S/o Late Beera Yadav R/o
village- Banki, P.S.- Barachatti, Distt.- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Laxaman Saw S/o Ramdeo Saw R/o village- Banki, P.S.- Barachatti, Distt.-
Gaya

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Jubair Ansari
For the Opposite Party/s : Ms.Anita Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-09-2020 The present petition has been taken up for
consideration through the mode of Video Conferencing in view
of the prevailing situation on account of COVID-19 Pandemic.

Heard the learned counsel for the petitioner and
Ms. Anita Kumari Singh, the learned A.P.P. for the State.

This is an application for grant of anticipatory bail
in connection with Complaint case no. 384 of 2012 registered
for the offences punishable under Sections 323, 504, 379 of
Indian Penal Code.

The case of the prosecution in brief is that the
complainant Laxaman Sao and the petitioner herein had started
a partnership business, however some differences had cropped



up subsequently, whereafter mediation is stated to have been held and the Mediator decided that the petitioner would pay a sum of Rs. 37,500/- to the complainant, however instead of paying the said money, the petitioner is alleged to have gone to the shop of the complainant and assaulted him as also is alleged to have snatched the wrist watch of the complainant and a sum of Rs. 10,000/-.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is having a clean antecedent. It is further submitted that the allegation levelled by the complainant is laced with malafide and oblique motives. It is further submitted that the petitioner is ready and willing to abide by such conditions as may be deemed fit and proper to be imposed by this Court for the purposes of grant of bail to the petitioner herein.

Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the petitioner and taking into account the nature of allegations levelled against the petitioner herein as also the fact that the petitioner is having a clean antecedent, though I deem it fit and proper to admit the petitioner to the privilege of anticipatory



bail, however subject to certain conditions. Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Sherghati, Gaya in connection with complaint case no. 384 of 2012 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure. This Court further directs that since the investigation of the present case is going on, the petitioner herein would appear before the Officer-in-charge of the concerned police station on each and every Monday of the week and co-operate with the Investigating Officer and in case of two consecutive defaults in appearing before the said Officer-in-charge, the present privilege of anticipatory bail being granted to the petitioner herein shall stand cancelled automatically and the petitioner would be taken into custody forthwith.

(Mohit Kumar Shah, J)

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