

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76732 of 2019**

Arising Out of PS. Case No.-401 Year-2016 Thana- JEHANABAD COMPLAINT CASE
District- Jehanabad

VINOD YADAV S/O Deonandan Yadav Resident of Village- Okari Tola-
Bazitpur, P.S. Ghosi, District - Jehanabad.

... .. Petitioner

Versus

1. THE STATE OF BIHAR
2. Samfulla Devi W/O Genai Yadav @ Gende Yadav Resident of Village-
Okari Tola- Bazitpur, P.S. Ghosi, District - Jehanabad.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar, Advocate
For the Opposite Party/s : Mr.Ram Anurag Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 16-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in this case is seeking anticipatory bail
in connection with Complaint Case No. 401 of 2016 registered
for the offences punishable under Sections 341, 323, 307, 379,
504, 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that it is a
case of false implication, the allegation against the petitioner is
that he had pulled the complainant by her hair and torn her
blouse and saree, however these allegations are only false and
flimsy in order to make out a case against the petitioner. It is
submitted that the petitioner and the informant/complainant are



co-sharers and they had quarrel on a petty issue which led to filing of the complaint case. It is submitted that prior to filing of the complaint case, the complainant had not reported the matter to the police authorities.

Despite service of notice on O.P. No. 2, she has chosen not to enter appearance in this case.

Learned APP for the State is present and though he opposed the prayer for anticipatory bail of the petitioner but it is not denied that in the complaint petition there is no allegation of assault against this petitioner and all that has been alleged is that petitioner has pulled her by her hair and torn her saree and blouse.

In the given facts and circumstances of the case, let the petitioner above named in case of his arrest or surrender within a period of six weeks from today in connection with Complaint Case No. 401 of 2016 be released on bail on furnishing of bail bond of Rs.15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. i.e.

(I) a condition that the person shall make himself available for interrogation by a police officer as and when



required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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