

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80247 of 2019**

Arising Out of PS. Case No.-270 Year-2019 Thana- GOPALGANJ TOWN District-
Gopalganj

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ABHAY YADAV @ ABHAY KUMAR RAJ Son of Bidya Prasad Yadav
Resident of Village- Haziyaipur, P.S.- Gopalganj, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prem Sheela Pandey
For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

3 17-01-2020 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Gopalganj P.S. Case No. 270 of 2019 for the offence registered under Sections 341, 323, 307, 379, 427, 504, 506/34 of the Indian Penal Code.

The allegation is that while the informant was standing on the road along with his truck loaded with stone chips, in the meantime, the petitioner along with other accused persons had arrived there and offered some rate for the stone chips, however, the same was refused by the informant resulting in altercation in between the parties. It is alleged that the accused persons including the petitioner had assaulted the informant and looted some cash amount from the truck in



question.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and he is having a fair antecedent except one case in which he is on bail. It is submitted that a bare perusal of the impugned order dated 13.08.2019 would show that the present case arises out of case and counter case, free-fight had taken place in between the parties and further more, the injuries inflicted upon the informant are simple in nature.

Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the petitioner coupled with the fact that no grievous injuries have been inflicted upon the informant and altercation had taken place on account of fixing of rate of stone chips, I deem it fit and proper to grant anticipatory bail to the petitioner herein.

Accordingly, the petitioner, above named, is directed to be released on anticipatory bail in the event of his arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Gopalganj P.S. Case No. 270 of 2019 subject



to the conditions as stipulated under Section 438(2) of the Code
of Criminal Procedure.

(Mohit Kumar Shah, J)

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