

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81936 of 2019

Arising Out of PS. Case No.-102 Year-2019 Thana- TANKUPPA District- Gaya

Prakash Yadav S/o Nand Lal Yadav R/o village- Fuddi, P.S.- Tankuppa,
District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheikh Arkan Ahmad

For the Opposite Party/s : Mr. Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-02-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 504 and 506 of the Indian Penal Code.

The prosecution case, as per the written report of Shivnath Yadav submitted to Station House Officer of Tankuppa Police Station, is to the effect that on 20.09.2019 at 5.00 P.M. the accused persons including the petitioner came variously armed at the house of the informant and started abusing and assaulting the informant. The petitioner assaulted the brother of the informant with lathi on his head causing bleeding injury and when sister-in-law (Bhabhi), Sahodari Devi and niece Sangita Kumari came to rescue, they were also assaulted by the



petitioner.

It is submitted by learned counsel for the petitioner that in the background of land dispute, the accusation of assault has been levelled. There is a counter version of the occurrence being Tankuppa P.S. Case No. 101 of 2019 registered for the offences punishable under Sections 147, 148, 149, 341, 342, 326, 307, 504 and 506 of the Indian Penal Code. It is further submitted that for the occurrence of 20.09.2019, the FIR has been lodged on 23.09.2019 and the injury has been found simple in nature. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that there is specific accusation of assault against the petitioner.

Considering the genesis of the occurrence, delayed lodging of the case and there is a counter version of the occurrence, coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of



learned Additional Chief Judicial Magistrate- 1st, Gaya in connection with Tankuppa P.S. Case No. 102 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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