

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25306 of 2021

Arising Out of PS. Case No.-190 Year-2020 Thana- SINGHESHWAR District- Madhepura

1. Sanjay Yadav Son Of Late Mahakant Yadav Resident Of Village- Behrari (DANDARI), P.S. Singheshwar, District- Madhepura
2. Anil Yadav Son Of Munal Yadav Resident Of Village- Behrari (DANDARI), P.S.- Singheshwar, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Sinha

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 07-12-2021 Learned counsel for the petitioners seeks permission of the Court to withdraw this application in respect of petitioner no. 1 as he has been taken into judicial custody.

Permission is accorded.

The application is dismissed as withdrawn in respect of petitioner no. 1.

Heard learned counsel for the petitioner no. 2 and learned APP for the State.

The petitioner no. 2 is apprehending his arrest in a case registered under Sections 341, 323, 324, 354(B), 379, 504, 506, 34 of the Indian Penal Code and 3 and 4 of Dian Act.

The prosecution allegation, in short, is that the



accused persons misbehaved with the wife of the informant and assaulted her and family members came in rescue, they were also assaulted.

It has been submitted on behalf of the petitioner no. 2 that he has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner no. 2. The petitioner no. 2 has falsely been implicated in the present case. General and omnibus allegation has been made against petitioner no. 2. There is a case and counter case between the parties. A free fight is alleged to have taken place. The injury on the accused side has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State, it is submitted that the petitioner no. 2 is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner no. 2, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura in connection with Singheshwar P.S. Case No. 190/2020, subject to the conditions



as laid down under Section 438(2) of the Code of Criminal
Procedure.

(Sudhir Singh, J)

Pankaj/-

U		T	
---	--	---	--

