

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31462 of 2020

Arising Out of PS. Case No.-67 Year-2018 Thana- CHANDRAMANDI District- Jamui

DHANESHWAR YADAV Son of Haladhar Yadav Resident of Village -
Dallodih, Post - Kiyajori, P.S.- Chandramandih, Dist.- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 06-01-2021 Heard Mr. Pankaj Kumar Sinha, learned counsel for
the petitioner and Mr. Akshay Lal Pandit, Additional Public
Prosecutor for the State.

2. Petitioner apprehends his arrest in connection with
Chandramandih PS Case No. 67/2018 registered for the offence
punishable under Sections 147, 148, 149, 341, 342, 323, 324,
325, 326, 307, 353 of the IPC and subsequently Section 302 IPC
was added.

3. The allegation, as per First Information Report, is
that a theft was committed in the house of one Ramkrit Yadav
and the said thief was caught and assaulted by the villagers and
when the police arrived at the place of occurrence and tried to
rescue the thief in order to take him to the hospital, petitioner
along with others prevented the police saying that unless the
stolen articles are recovered, they would not allow the injured



thief to be admitted in the hospital, who subsequently, died.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and there is no allegation that he assaulted the said thief. Learned counsel further submits that the allegation of assault is against the villagers which are general and omnibus in nature and no specific allegation of assault is there against the petitioner.

5. Learned counsel next submitted that similarly situated co-accused persons have been granted anticipatory bail by this Court in Cr. Misc. No. 61203/2019.

6. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that similarly situated co-accused persons have been granted anticipatory bail by this Court, I am inclined to grant anticipatory bail to the petitioner.

7. Accordingly, petitioner, DHANESHWAR YADAV shall be released on anticipatory bail, in the event of arrest or surrender within six 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 ACJM 1st Jamui/court concerned in connection with Chandramandih PS Case No.



67/2018, subject to the conditions as laid down under Section 438(2) CrPC.

8. It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines of social distancing.

(Anil Kumar Sinha, J)

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