

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33237 of 2020

Arising Out of PS. Case No.-109 Year-2020 Thana- BODHGAYA District- Gaya

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1. Basanti Devi (F), aged about 65 years, Female, Wife of Guru Dayal Yadav, Resident of Village-Pachchhati, P.S.-Bodh-Gaya, District-Gaya.
 2. Guru Dayal Yadav, (M), aged about 67 years, Male, S/o Late Komal Yadav, Resident of Village-Pachchhati, P.S.-Bodh-Gaya, District-Gaya.

... .. Petitioners

Versus

1. The State of Bihar.
2. Anita Devi, Wife of Upendra Yadav, Daughter of Late Raj Kishore Yadav Resident of Village-Pachchhati, P.S.-Bodh-Gaya, District-Gaya.

... .. Opposite Parties

Appearance :

For the Petitioner No. 2 : Mr.Ajay Kumar Sinha, Advocate.
For the State : Mr. A.G

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 25-02-2021 Vide order dated 20.01.2021, prayer for anticipatory bail of petitioner no. 1, namely, Basanti Devi, has already been dismissed as withdrawn.

Learned counsel for the petitioner no. 2 is directed to remove the defects, as pointed out by the office, within a period of four weeks.

Heard learned counsel for the petitioner no. 2 and learned A.P.P. for the State.

The petitioner no. 2 is apprehending his arrest in a case for the offence registered under Sections 307 and 498(A)/34 of the I.P.C.



The prosecution story, in brief, is that the petitioner no. 2 and other co-accused used to demand of dowry and for not fulfilling their demands they used to torture the victim and on 27.03.2020 at about 2.00 P.M., they forcibly took her on the roof and pushed her, due to that she fell down on the ground and got severally injured.

It has been submitted by learned counsel for the petitioner no. 2 that he has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against him. He has falsely been implicated in the present case. General and omnibus allegation has been made against him. No deadly weapon is said to have been used in course of occurrence. Hence, no offence under Section 307 of the I.P.C. is made out.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner no. 2, Guru Dayal Yadav, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Gaya, in connection with



Bodh Gaya P.S. Case No. 109/2020, subject to the conditions as
laid down under Section 438(2) of the Code of Criminal
Procedure.

(Sudhir Singh, J)

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