

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5088 of 2021**

Arising Out of PS. Case No.-37 Year-2016 Thana- BASOPATTI District- Madhubani

Deepak Kumar Yadav, Son of Asheshwar Yadav @ Asesar Yadav R/O
Village- Bardepur, P.S.- Kaluahi, District- Madhubani.

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav- Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary- A.P.P.

**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER**

2 24-09-2021 Heard Mr. Gagan Deo Yadav, the learned Advocate

for the petitioner and Mr. Ram Sevak Choudhary, the learned

APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Basopatti P. S. Case No.37 of 2016, instituted for the offences under Sections 147, 149, 452, 323, 380, 427, 504 of the Indian Penal Code.

The accusation in the F.I.R. is that some of the accused persons of this case entered the house of the informant and also directed the driver of the vehicle namely the petitioner to demolish the house. The house of the informant was demolished.

The learned Advocate for the petitioner has fairly stated that the anticipatory bail application of the co-accused



person who had directed the driver namely the petitioner to demolish of the house of the informant has been rejected. The other accused persons of this case have been granted anticipatory bail by the Court below.

Under the aforesaid circumstance and taking into account the submission advanced on behalf of the petitioner that he has wrongly been named as the driver of the vehicle by which the house of the informant was demolished, this Court directs that in the event of the surrender of the petitioner before the court below, the same shall be heard on merits, taking into account the afore-noted facts and without being prejudiced by the fact that the present petition for anticipatory bail on his behalf has not been entertained.

The application stands disposed off.

(Ashutosh Kumar, J)

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