

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10260 of 2021**

Arising Out of PS. Case No.-302 Year-2019 Thana- DARBHANGA SADAR District-
Darbhanga

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Ramesh Yadav Son of Late Jhingur Yadav, Resident of Village- Mohsinpur,
P.S.- Sadar, Distt- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No. 2, Adv.
Mr. Gajendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. Ashok Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 26-11-2021 Heard.

The petitioner apprehends his arrest in connection with Darbhanga Sadar P.S. Case No. 302 of 2019, corresponding to C.R. No. 2061 of 2019 for the offence punishable under Sections 147, 148, 323, 452, 307, 380 and 354(B) of the Indian Penal Code.

The allegation is regarding the accused persons including the petitioner herein having arrived at the house of the informant and thereafter, the petitioner is alleged to have called the wife of the informant a witch. The accused persons are stated to have assaulted the informant and his family members.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is having a clean



antecedent. The learned counsel for the petitioner has further submitted that an ornamental allegation has been levelled against the petitioner and in fact, no such incident had ever taken place. It is further submitted that a general and omnibus allegation of assault has been levelled against the accused persons on account of existing land dispute and the parties being living adjacent to each other.

Per contra, the learned A.P.P. for the State Shri Ashok Kumar has vehemently opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record, this Court finds that a general and omnibus allegation has been levelled against the accused persons and an ornamental allegation of tearing the clothes of the wife of the informant has been levelled, however, considering the fact that the parties are living adjacent to each other and a land dispute is existing in between them as also the petitioner is having a clean antecedent, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender before the learned court below within a period of four weeks from today, the petitioner, above-named, shall be enlarged on bail on furnishing bail bonds of Rs. 10,000/-



with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga in connection with Darbhanga Sadar P.S. Case No. 302 of 2019, corresponding to C.R. No. 2061 of 2019 subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Mohit Kumar Shah, J)

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