

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.17299 of 2021

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

Upendra Kumar @ Upendra Yadav, aged about 25 years, male, S/o Gurudyal Yadav, resident of Village- Pachhatti, P.S. Bodhgaya, District Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

4 03-03-2022 Heard the parties.

Petitioner seeks anticipatory bail in connection with Bodhgaya P. S. Case No. 109 of 2020 registered for the offences under Sections 307, 498(A) and 34 of the Indian Penal Code.

It has been submitted by the learned counsel for the petitioner that the marriage is quite old and petitioner has three children who were staying with him and it is the informant who has left the house.

This Court had issued notice to the Opposite Party No. 2 but despite service of notice upon the family members of the Opposite Party No. 2, she has chosen not to appear before this Court.



Considering the allegations and counter allegations which cannot be verified by this Court in anticipatory bail proceeding and also considering the law laid down by the Supreme Court in the case of *Arnesh Kumar Vs. State of Bihar reported in (2014) 8 SCC 273*, this application for anticipatory bail is allowed.

Accordingly, let petitioner, above-named, in the event of his arrest or surrender within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Bodhgaya P. S. Case No. 109 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sandeep Kumar, J)

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