

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18038 of 2022**

Arising Out of PS. Case No.-715 Year-2021 Thana- SIWAN MUFFASIL District- Siwan

RAVI KUMAR YADAV SON OF PARMA CHAUDHARY R/O VILLAGE-
BALCHAND HATTA, P.S.- SIWAN MUFFASIL, DISTRICT- SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Advocate
For the Opposite Party/s : Mr. Md. Aslam Ansari, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 26-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504 and 34 of the Indian Penal Code.

The informant alleges that on 19.12.2021 at about 7:00 pm, his relatives along with the accused persons including the petitioner came to his *bathan* and started abusing him and thereafter Ravi Kumar abused him which was protested by the informant, it is next alleged that thereafter all the accused assaulted him with sword on his head causing injury and when his nephew intervened, all the accused assaulted him also and Kundan Kumar took Rs. 7000/- from informant's purse, Parma Chaudhary took away the golden chain and when the villagers



intervened, the accused person fled away and the injured were saved.

Learned counsel for the petitioner submits that petitioner has antecedent of one case and has been falsely implicated in the present case, it is next submitted that on account of land dispute, the informant has falsely implicated the petitioner by way of afterthought. Learned counsel next submits the date of occurrence is 19.12.2021 and the FIR was instituted on 29.12.2021 i.e., after a delay of 10 days without any plausible explanation when admittedly the injuries suffered were not as such that the informant could not have gone to the police station, it is next submitted that had the informant or the injured would have been taken to the hospital then definitely the *fardbeyan* would have been recorded and this amply demonstrates that by way of afterthought, after ten days the petitioner came to be implicated in a false case.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on



anticipatory bail on furnishing bail bonds of Rs. 10,000/-
(Rupees Ten Thousand) with two sureties of the like amount
each to the satisfaction of the learned trial court where the case
is pending/successor court in connection with Siwan Muffasil
P.S. Case No. 715 of 2021 subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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