

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29571 of 2021

Arising Out of PS. Case No.-529 Year-2020 Thana- BAHADURPUR District- Darbhanga

GYANI YADAV Son of Late Nanki Yadav Resident of Village- Gaighatti,
Police Station- Bahadurpur (Pator O.P.) and District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-03-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Learned Counsel for the petitioner is directed to
remove the defect(s), as pointed out by the office, within a
period of eight weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 147, 148, 149, 341, 323, 354(B), 302,
379, 504 of the Indian Penal Code.

Allegation is that the accused persons including the
petitioner assaulted the informant's wife with lathi, due to which
she sustained injury. Co-accused Pradeep Yadav assaulted the
wife of the informant by iron rod, due to which she sustained
grievous injury. When the daughter-in-law and daughter of the
informant went to save her, co-accused Vijay Yadav and Pradeep



Yadav caught hold of daughter of informant and caused hurt to her and co-accused Vijay Yadv threw down the daughter of the informant. During course of treatment, the wife of the informant died.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. General and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. Specific allegation of assault is against the co-accused Pradeep Yadav. Petitioner is 70 years old. The case has been instituted after six days of the alleged occurrence. Delay has not been explained by the prosecution.

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

Considering the facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve 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 Miss Romi Kumari,



Judicial Magistrate 1st class, Darbhanga in connection with
Bahadurpur (Pator O.P.) P.S. case No.529 of 2020, subject to the
conditions as laid down under Section 438(2) of the Code of
Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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