

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25416 of 2022

Arising Out of PS. Case No.-92 Year-2021 Thana- ROH District- Nawada

AKHILESH YADAV @ AKHLESH KUMAR SON OF KULA YADAV R/O
VILLAGE- DIRMOBARA, P.S.- ROH, DISTRICT- NAWADA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ravindra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through the virtual Court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
354, 379, 504 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that
petitioner has antecedent of one case which was instituted from
the side of the informant earlier.

The informant alleges that on 14.09.2019 at 08:30
p.m. the accused persons including the petitioner came to the
house of the informant and started abusing him and on protest
Shankar Yadav assaulted the informant with rod causing injury
on his head, Ravi Yadav assault him with rod causing injury on



his back. When his daughter-in-law and son came to save then they were also assaulted by Ravi Yadav. Further, the petitioner assaulted his son with rod on his right leg due to which he fell down on the earth.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is further submitted that even presuming what is alleged is true without admitting for the purpose of anticipatory bail then the allegation of assault by this petitioner is on the non-vital part of the body of the son of the informant i.e. leg. It is next submitted that even the order impugned does not record as to what injuries were suffered by the injured. It is also submitted that on account of dispute between the parties relating to damaging the motorcycle of one Ravi Yadav from the side of the informant , a complaint case was instituted by Ravi Yadav and, as such, the present false case came to be instituted implicating the petitioner who is brother of Ravi Yadav.

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 Court below



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 court below where the case is pending/successor court in connection with Roh P.S. Case No. 92 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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