

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28552 of 2022

Arising Out of PS. Case No.-88 Year-2020 Thana- KUSHESHWARASTHAN District-
Darbhanga

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PAPPU YADAV @ PAPPU KUMAR YADAV Son of Shivdhari Yadav
Resident of Village- Bahera, Ward No.-2, P.S.- Kusheshwar Asthan, District-
Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Parasmani, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-11-2022 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 147,
148, 149, 341, 523, 324, 307 and 325 of the Indian Penal
Code.

The informant alleges that he was brutally
assaulted by the accused persons as detailed in the FIR and
the petitioner on order of Shivdhari assaulted him by Farsa
causing injury on head and assaulted Kailash with khanti
causing fracture on hand.

The learned counsel submits that the petitioner



is a person with clean antecedent and has been falsely implicated in the present case, it is next submitted that the petitioner was not even present at the place of occurrence when the alleged occurrence took place, it is also submitted that police after investigation submitted Final Form in favour of the petitioner but the learned Magistrate differing with the police report took cognizance of the offence against the petitioner. Learned counsel next submits that when one Investigating Agency after carrying out threadbare investigation found the case false against the petitioner then would it be justifiable that based on the same investigation when cognizance has been taken the petitioner be sent to jail.

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 Kusheshwar Ashtan P.S. Case No. 88 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

GauravSinha/-

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