

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50901 of 2021**

Arising Out of PS. Case No.-148 Year-2020 Thana- TEKARI District- Gaya

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Upendra Kumar @ Upendra Yadav @ Upendra Kumar Yadav S/o Fekan
Yadav Resident of Village- Shiva Bigha, P.S.- Tekari, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinod Kumar

For the Opposite Party/s : Mr.Manoj Kumar

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 29-08-2022 Heard learned counsel for the parties.

The petitioner apprehends his arrest in Tekari P.S.
Case No.148 of 2020, registered for the offences punishable
under Sections 341, 323, 342, 324, 307, 504, 506, 379 and 34 of
the Indian Penal Code.

The petitioner and other co-accused persons are said
to have assaulted the informant by means of lathi, danda and
iron rod. The petitioner is said to have tried to press the neck of
the informant. When the wife of the informant started weeping,
the accused persons started assaulting the informant causing
injuries in his throat and lip.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case. It is further submitted that the petitioner has got two criminal antecedents as stated in paragraph-3 of the bail application. It is submitted that previously co-accused, Anirudh Yadav had instituted a case being Tekari P.S. Case No.42 of 2020 against the informant and his family members under Sections 323, 341, 307, 504/34 of the Indian Penal Code and due to this reason, the present FIR has been filed by the informant. No specific overt act is alleged against the petitioner rather the allegations are general and omnibus.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioner.

Perused the case diary including the injury report. From perusal of the injury report, it appears that the injuries are simple in nature.

Taking into consideration the facts aforesaid, let 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 enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Gaya in connection with Tekari P.S. Case No.148 of 2020, subject to the conditions laid down under



Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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