

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43115 of 2022**

Arising Out of PS. Case No.-190 Year-2018 Thana- CHERIYA BARIYARPUR District-
Begusarai

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DINESH YADAV Son of Ramautar Yadav Resident of Village - Sakarbasa,
Police Station- Cheriya Bariyarpur, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Vinod Shanker Modi, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-12-2022 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 302
and 34 of the Indian Penal Code.

The informant alleges that the accused persons
including the petitioner assaulted her father-in-law who
died.

Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and has been
falsely implicated in the present case, it is next submitted
that deceased was having illicit relationship with co-



accused Rekha Devi on account of which the occurrence took place in which the petitioner also came to be implicated as he also used to object the said relationship. Learned counsel further submits that police after investigation submitted Final Form bearing no. 191 of 2021, dated 21.09.2021 (Annexure-3) to the anticipatory bail application in favour of the petitioner, it is further submitted that the learned trial Court differing with the police report took cognizance of the offence against the petitioner. Learned counsel next submits that when one investigating agency after threadbare investigation found the petitioner to be innocent as no material transpired during the course of investigation to even remotely connect him with the offence then sending him to jail based on the same material on which cognizance came to be taken would amount to travesty of justice.

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 Cheriya Bariyarpur P.S. Case No. 190 of 2018 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

GauravSinha/-

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