

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49402 of 2022

Arising Out of PS. Case No.-274 Year-2021 Thana- LAXMIPUR District- Jamui

=====

DIPU YADAV @ DIPAK KUMAR YADAV SON OF SAKALDEO YADAV
R/O VILLAGE- MAGAHI, P.S.- LAXMIPUR, DISTRICT- JAMUI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Umesh Prasad

For the Opposite Party/s : Mr. Satyendra Narayan Singh

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-12-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is directed to remove
the defects within four weeks.

The petitioner apprehends his arrest in a case registered
for the offence punishable under Sections 147, 148, 149, 447,
341, 323, 307, 354, 504 and 506 of the Indian Penal Code.

The allegation against the petitioner is that he along with
other accused persons have indiscriminately assaulted the
informant's side.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case. No such occurrence, in
the manner as alleged, has ever taken place. The allegation



levelled against the petitioner is not specific rather general and omnibus in nature. The specific allegation is against the co-accused Sakaldeo Yadav and Sanjay Yadav. It is submitted that for the alleged occurrence, there is a case and counter-case between the parties. There is a land dispute between them and both the parties are agnates. He further submits that the occurrence took place on 14.08.2021 but the FIR was lodged on 17.08.2021 i.e. after a delay of three days and there is no plausible explanation given regarding the said delay which creates a serious doubt on the genuineness of the prosecution case. Petitioner has no criminal antecedent, as also mentioned in para-3 of the bail application.

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

Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Laxmipur P.S. Case No.274 of 2021, subject to the
conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

shikha/-

U		T	
---	--	---	--

