

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68779 of 2021

Arising Out of PS. Case No.-249 Year-2008 Thana- MADHEPURA District- Madhepura

BINOD YADAV @ BINOD KR. YADAV S/o Baleshwar Yadav R/o village-
Amauna Bishanpur, P.S.- Gwalpara, District- Madhepura

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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 323, 379,
504 and 307/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

The informant alleges that on 06.08.2008 at about
01:30 p.m. informant's brother along with his son and son-in-
law were surrounding the way from door to courtyard with Tati
to which the informant's wife protested on which four accused
along with petitioner came armed with weapon and it is alleged
that they assaulted the wife and son of the informant leading to



bleeding injury.

Learned counsel for the petitioner submits that police after investigation submitted final form in favour of the petitioner in the year, 2010, as such, petitioner was sanguine that the case has been found false. It is next submitted that petitioner was completely unaware that the learned court below differing with the police report has taken cognizance in the year 2010 itself. It is next submitted that when the police in the year 2021 came to the house of the petitioner for marking arrest, the petitioner tried to find out as to why the police is before the petitioner when there is no case pending against him. It is next submitted that till date no proceeding under Sections 83 and 84 of the Cr.P.C. has been resorted.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner but is not in a position to rebut the submission of the learned counsel for the petitioner that police after investigation submitted final form in favour 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 Madhepura
P.S. Case No. 249 of 2008, subject to the conditions as laid
down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Kundan/-

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

