

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7751 of 2023

Arising Out of PS. Case No.-237 Year-2019 Thana- TRIVENIGANJ District- Supaul

ASHOK YADAV Son of Shiv Dayal Yadav R/v- Dumaria Kothi, Ward No. 5,
P.S.- Triveniganj, District- Supaul

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha, Advocate

For the Opposite Party/s : Mr.Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-05-2023 Heard the learned counsel for the
petitioner and learned APP for the State.

This is an application for grant of anticipatory bail in connection with Triveniganj P.S. Case No.237 of 2019, registered for offences under Sections 356, 379, 147, 148, 149, 341, 323, 324, 307, 354B, 436, 504 of the IPC and 27 of the Arms Act.

The allegation is regarding 22 accused persons, including the petitioner herein and 30-35 unknown persons having come to the field of the informant and then they had taken the bamboo clumps kept there, whereafter they had entered into the house of the informant and assaulted the informant and her family members. As far as the



petitioner is concerned, he is stated to have assaulted the informant by iron rod on her head. It is also alleged that the accused persons had looted cash and other articles.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has further submitted that the present case arises out of case and counter case as also on account of pre-existing land dispute amongst the parties. The learned counsel for the petitioner also submitted that the injury sustained by the informant, attributable to the petitioner, has been found to be simple in nature.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials



available on record as also considering the categorical averments of the learned counsel for the petitioner to the effect that the injury sustained by the informant has been found to be simple in nature, though I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail, but subject to verification of the injury report by the learned trial court.

Accordingly, the above named petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below, within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ADJ-1st, Supaul in connection with Triveniganj P.S. Case No.237 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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