

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9063 of 2023

Arising Out of PS. Case No.-222 Year-2021 Thana- BIHIA District- Bhojpur

RAM BABU YADAV @ RAM BABU SINGH Son of Raja Ram Yadav
Resident of Village- Mahuwaon, P.S.- Bihia, District- Bhojpur
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raju Kumar Singh
For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 19-05-2023 Heard the parties.

The petitioner apprehends his arrest in connection with Bihia PS Case No. 222 / 2021 dated 9-6-2021 registered under Section 147, 323, 341, 324, 379, 307, 447, 504, 506 of the IPC.

As per the FIR the petitioner along with other accused persons entered into the house of the informant in the evening of 8-6-2021 and started abusing him and when the informant objected the accused person namely, Rabindra Yadav and others assaulted the informant by means of *lathi* and when the Aunt of the informant intervened, she was also assaulted on her head by Kamlesh Yadav by means of *lathi*. The accused person assaulted the brother of the informant also.

Learned counsel for the petitioner submits that petitioner along with other accused persons, altogether eleven in



number, have been made accused in the present case due to dispute between the neighbours. The petitioner is the neighbour of the informant and all the family members of the petitioner have been made accused. The only allegation against the petitioner is that he abused the informant along with others but there is no allegation of assault upon this petitioner.

Regard being had to the submission made by the parties, taking into consideration nature of allegation and the fact that no overt act has been alleged against petitioner in the FIR, I am inclined to grant anticipatory bail to the petitioner.

Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M. 1st Bhojpur at Ara in connection with Bihia PS Case No. 222 / 2021 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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