

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21290 of 2023

Arising Out of PS. Case No.-340 Year-2021 Thana- KUMAR KHAND District- Madhepura

Pappu Yadav, S/O Late Jagdish Yadav, Resident of Village- Rahta Ward No.-
06, P.S.- Kumarkhand, District- Madhepura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr. Uday Chand Prasad, Advocate
	Mr. Manoj Kumar, Advocate
	Ms. Pooja, Advocate
For the Opposite Party/s :	Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in the present case is seeking pre-arrest bail in connection with Kumarkhand P.S. Case No. 340 of 2021 registered for the offences punishable under Sections 341, 323, 324, 379, 307, 354, 504, 506/34 of the Indian Penal Code. He has got no criminal antecedent.

As per the prosecution story, on 02.12.2021 at 08:00 A.M., all the accused persons came at the house of the informant and started abusing her and her family members. It is alleged that this petitioner Pappu Yadav dragged the informant by pulling her hair. Co-accused Amrendra Yadav tied rope around the neck of the informant which caused suffocation and when the husband of the informant came to save her, Nirmala Devi assaulted on his head with Garasa causing injury. It is also alleged that co-accused Pritam and



Santosh Kumar tried to outrage modesty of Nanad and daughter of the informant and accused Laxman Yadav assaulted the father-in-law of the informant with Lathi. It is further alleged that co-accused Manoj Kumar Yadav and Anita Devi took away cash of Rs.25,000/-.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case over a land dispute. It is submitted that the injuries are simple in nature and the petitioner has no criminal antecedent.

Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is submitted that both the parties are having a land dispute and in respect of the occurrence which had allegedly taken place on 01.12.2021, the petitioner's side had lodged Kumarkhand P.S. Case No. 339 of 2021, the present case has been lodged as a counter case, the injuries allegedly caused are simple in nature and the petitioner has otherwise no criminal antecedent, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Madhepura in connection with Kumarkhand P.S. Case No. 340 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

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