

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27358 of 2023**

Arising Out of PS. Case No.-301 Year-2022 Thana- BHARGAMA District- Araria

=====

VIJAY YADAV @ SURESH KUMAR YADAV SON OF SATYDEV YADAV
R/O AT AND PO- JAYNAGAR, PS- BHARGAMA, DISTT- ARARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sita Ram Prasad, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-07-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
324, 307, 379, 504, 506 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the informant
alleges that petitioner assaulted his son by *farsa* causing injury
on mouth and eye.

4. Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the present case, it is
next submitted that the date of occurrence is 22.12.2022 at 4:00
am and the FIR came to be instituted on 24.12.2022 that is after
a delay of nearly two days without any plausible explanation, it



is next submitted that from side of the petitioner a Bhargama P.S. Case No. 300 of 2022 was instituted and it was thereafter the present FIR came to be instituted by way of counterblast, it is next submitted that from perusal of the impugned order it would manifest that it records that the injury suffered by the injured is simple in nature except one near the nose which is said to be grievous, it is further submitted that persons from the side of the petitioner were also assaulted by the side of the informant leading to grievous injury as would be evident from Annexure 2, it is next submitted that the cause of occurrence was on a very trivial issue of grazing of the field of the informant by a buffalo of the petitioner.

5. Learned counsel for the petitioner thus submits that there was no intention on part of the petitioner to commit an occurrence.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. 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 trial court 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 trial court where the case is pending/successor court in connection with Bhargma P.S. Case No. 301 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Adnan/-

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

