

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35110 of 2023

Arising Out of PS. Case No.-8 Year-2023 Thana- BHAGWANGANJ District- Patna

Lorik Yadav Son of Late Mahajan Yadav Resident of Village - Khainia, P.S.-
Bhagwanganj, District – Patna.

The State of Bihar

Versus

... .. Petitioner/s

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Adv.
For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 24-07-2023 Heard Mr. Ajay Kumar Sinha, learned counsel for the

petitioner and Mr. Mritunjay Kumar Nirala, learned APP for the

State.

2. The petitioner apprehends his arrest in connection
with Bhagwanganj P.S. Case No. 8 of 2023 registered for the
offences punishable under Sections 341, 323, 354B and 504 of
the Indian Penal Code.

3. The prosecution case, in brief, is that while the son
of the informant was looking after his duck farm, in the
meantime, the petitioner came there and started pressing his
neck in order to kill him but anyhow he saved himself from his



clutch and returned to his home. The petitioner stalking him entered into the house of the informant and threw the informant on the floor assaulting her and torn her clothe with bad intention.

4. Learned counsel for the petitioner submits that, in fact, on account of trifling matter, the scuffle took place between the son of the informant and the petitioner, in the meantime, the informant came to rescue her son and she has also sustained injury. However, the injury appears to be simple in nature. He next submits that during the course of investigation, nothing has been brought on record to suggest that the cloth of the informant was torned. He further submits that only because of the past criminal antecedent of the petitioner in two cases, the learned court below has refused to enlarge the petitioner on pre-arrest bail.

5. On the other hand, learned counsel for the State opposes the application.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of allegation and the fact that on account of some trifling reason, the occurrence took place and all the offences except 354B of the IPC are bailable in nature, let the above named petitioner, be released on



bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M.1st Class, Masaurhi in connection with Bhagwanganj P.S. Case No. 8 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, with a further condition that he will mark his attendance before the concerned Police Station in the last week of every month for one year and any deviation from the aforementioned condition will be dealt with stringently by the learned court below.

(Harish Kumar, J)

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