

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40125 of 2023

Arising Out of PS. Case No.-314 Year-2016 Thana- BARACHATTI District- Gaya

KEDAR PRASAD Son of Suraj Prasad Resident of Village - Chanda, P.S.-
Dobhi, District - Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 379, 353, 354 and 504 of the Indian Penal Code pending in the learned court below.

3. As per the prosecution case, the accused persons have made hindrance in the teaching of the wife of the complainant and also misbehaved with her.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that the occurrence took place on 13.06.2016 but the F.I.R. lodged on 30.06.2016 after a delay of 17 days and there is no any explanation of it which creates serious doubt about prosecution case. He submits that petitioner



is 80 years old man and cannot do such type of act. He further submits that similarly situated other co-accused person has already been granted bail by a bench of this Court vide order dated 28.09.2022 passed in Cr. Misc. No. 17585/2022. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes for prayer for bail.

6. Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Barachatti P.S. Case No.314 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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