

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63728 of 2023

Arising Out of PS. Case No.-42 Year-2023 Thana- MURLIGANJ District- Madhepura

Pankaj Kumar Yadab @ Pankaj Yadav S/O Surya Narayan Yadav R/o vill -
Rajni Jhakharar Pratap Nagar, Ward No. 01, P.S. - Murliganj, Distt -
Madhepura

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the Opposite Party/s : Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Murliganj P.S. Case No. 42 of 2023 registered for the offences punishable under Sections 341, 323, 379, 354(B), 504, 506 and 34 of the Indian Penal Code. He has got one criminal antecedent.

3. As per the prosecution story, on 20.01.2023 at 9:00 pm, while the informant was sleeping in her house, all the accused persons, including the petitioner, variously armed came to her house and pulled her from bed due to which she fell and this petitioner assaulted her with kicks on her private private. The other accused persons snatched silver chain from her neck



and took away Rs. 50,000/- as well as some other ornaments. The petitioner threatened the informant of dire consequences in case she discloses about the occurrence to anyone.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the parties are related to each other as the petitioner's daughter is married to the informant's son. There is a matrimonial dispute between the parties for which the daughter of the petitioner has lodged a case under Section 498A of the Indian Penal Code against her husband and in-laws and to coerce the petitioner, the present false case has been instituted.

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

6. Having regard to the submission that the petitioner and the informant are related to each other, the petitioner's daughter is married to the son of the informant and there is a matrimonial discord between the parties, the daughter of the petitioner has lodged a case under Section 498A of the Indian Penal Code against her husband and in-laws whereafter the present case has been lodged and it is submission of the petitioner that he has been falsely implicated in this case because of the ongoing matrimonial dispute between the parties,



this Court directs that in case of his arrest or surrender within a period of six weeks from today, the petitioner above named be released on bail in connection with Murliganj P.S. Case No. 42 of 2023 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-I, Madhepura subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. 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.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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