

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64121 of 2023

Arising Out of PS. Case No.-365 Year-2023 Thana- TEKARI District- Gaya

SUBHASH YADAV Son of Late Sakaldeep Yadav @ Sakadeep Yadav R/o
vill - Lashakarganj, Tola - Raman Bigha, P.S. - Tekari, Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate.

For the Opposite Party/s: Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 19-10-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing for the State.

2. Petitioner apprehends his arrest in connection with
Tekari (Mau O.P.) P.S. Case No. 365 of 2023 dated 10.6.2023
registered for the offence punishable under Sections 341, 323,
308 and 504/34 of the Indian Penal Code.

3. As per the First Information Report, while the
informant asked the petitioner and others to remove the earthing
wire from the premises of the informant, all the accused persons
assaulted him. It has further been alleged that they also
assaulted the informant by means of steel (crutches) due to
which the informant sustained head injury.

4. Learned counsel for the petitioner submits that
both the parties are close door neighbour and occurrence has



taken place due to earthing wire having been placed near the house of the informant. Learned counsel further submits that upon perusal of the First Information Report, allegation against the petitioner is not specific but the same is general and omnibus in nature. He next submits that other co-accused persons have been granted anticipatory bail by learned Additional Sessions Judge himself. The injury has been caused upon the head of the informant, therefore, the petitioner and others have been charged under Section 308 of the Indian Penal Code by the Police in the First Information Report. There is two days delay in lodging the First Information Report.

5. Regards being had to the submission made by the parties and taking into consideration the materials on record and the fact that the allegation against the petitioner is general, omnibus in nature and there is delay of two days in lodging the First Information Report and both the parties are close door neighbours, I am inclined to grant anticipatory bail to the petitioner.

6. Accordingly, in the event of arrest or surrender before the learned court below within six weeks from today, petitioner, above named, shall be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two



sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Gaya, in connection with Tekari (Mau O.P.) P.S. Case No. 365 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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