

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69355 of 2023

Arising Out of PS. Case No.-5 Year-2023 Thana- BANKA District- Banka

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RAMESH KUMAR YADAV@RAHISH YADAV SON OF KAPIL DEO
YADAV RESIDENT OF VILLAGE- SADPUR, PS- BANKA, DISTT-
BANKA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 08-11-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Banka P.S. Case No. 05/ 2023 dated 03/01/2023 registered
for the offence(s) punishable under Section(s) 341, 323, 308,
379, 427 read with Section 34 of the IPC.

3. The main submissions advanced by the learned
counsel for the petitioner are that the allegation against this
petitioner is of assaulting at the head of the informant by means
of an iron rod but the injury found on scalp of left parietal
region of head of the informant was 3"x 1/4" deep and the same
was opined to be simple in nature and from the FIR, it is clearly
evident that the occurrence was not pre-planned and the



allegation of snatching of Rs. 14,000/- by this petitioner from the informant's pocket is ornamental and the petitioner has got no criminal antecedent and other allegations made in the FIR are general and omnibus against him.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions and mainly the genesis of the occurrence and fair and clean antecedent of the petitioner, this court is of the opinion that petitioner's prayer for anticipatory bail is fit to be accepted. Accordingly, 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 in connection with Banka P.S. Case No. 05/ 2023 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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