

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70714 of 2023**

Arising Out of PS. Case No.-29 Year-2023 Thana- CHAINPUR District- Kaimur (Bhabua)

Sanjay Yadav S/O Gulab Yadav Village- Maraipur Madurna, Ps. Chainpur,
Dist. Kaimur At Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER**

2 24-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Chainpur P.S. Case No.29 of 2023 instituted under Sections 147, 148, 149, 323, 341, 342, 307, 427, 379 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, the petitioner along with other accused persons came at the door of the informant and started assaulting the son of the informant, namely, Mithilesh Yadav by means of sword due to which he sustained injuries. It is further alleged that co-accused persons snatched ornaments from the family members of the informant.

4. Learned counsel for the petitioner submits that on the



alleged day of occurrence Mithilesh Yadav (son of the informant) had tried to outrage the modesty of the sister of petitioner which was opposed by the petitioner and his family members, upon which the prosecution party attacked on the petitioner's side and thereafter both the parties indulged in free fight in which both sides received injury. He further submits that injury report of injured Mithilesh Yadav does not support the prosecution case as the doctor found two lacerated wounds caused by hard and blunt substance over his head whereas the allegation of assault is caused by sword. No other injury was found on his person except the said injuries. The petitioner has no criminal antecedent and the F.I.R. has been lodged after delay of four days of the alleged occurrence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. II, Kaimur at Bhabua in connection with Chainpur P.S. Case No.29 of



2023, subject to the conditions as laid down in Section 438(2) of
the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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