

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77536 of 2023

Arising Out of PS. Case No.-308 Year-2021 Thana- PIRPAINTI District- Bhagalpur

DILKHUSH YADAV S/O ARVIND YADAV VILLAGE- PARASBANNA,
PS. PIRPAINTY, DIST. BHAGALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Adv.

For the Opposite Party/s : Mr.Md. Fahimuddin, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-12-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 307, 354, 504, 506, 34 of the Indian Penal Code.

3. Allegedly, all the accused persons including the petitioner, armed with deadly weapons, entered the house of the informant and started abusing. On objection, they assaulted her with fists, slaps and bricks and when her father came there to save her, petitioner assaulted him with iron rod on his head. He also tried to outrage the modesty of the informant.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. Both the



parties are agnates. The allegation levelled against the petitioner is totally false and based on concocted facts. There is admitted land dispute between the parties. Both sides have filed cases against each other. Though there is allegation against the petitioner to assault the informant's father on his head by means of iron rod, but from the impugned order, nature of the injury cannot be determined. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the case, as there is case and counter case between the parties, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Pirpainti P.S. Case No. 308 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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