

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5548 of 2024

Arising Out of PS. Case No.-143 Year-2022 Thana- RAJAON District- Banka

=====

Sunil Yadav Son of Bajrangi Yadav R/o vill - Brindawan, P.S. - Rajoun, Distt.
- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Md. Nurul Hoda, Adv.
For the Opposite Party/s : Mr. Pranav Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Rajoun P.S. Case No. 143 of 2022 dated 04.04.2022, instituted
for the offence punishable under Sections 341, 323, 308, 379,
504, 506/34 of the Indian Penal Code.

3. The prosecution case, in short, is that on the date of
occurrence the petitioner and co-accused persons abused and
assaulted the informant with an iron rod causing injury on the
head and also snatched his golden chain and money.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this



case. It is submitted that date of occurrence is 18.03.2022 but the case was instituted on 04.04.2022 i.e. after delay of more than 17 days without any plausible explanation. It is further submitted that the informant was not injured as the F.I.R. is based on written complaint of the informant. In the said F.I.R., the allegation against the petitioner is only of snatching Rs. 2500/- from pocket of brother of the informant. It is submitted that there is a case and counter case bearing Rajoun P.S. Case No. 143 of 2022 dated 04.04.2022 and Rajoun P.S. Case No. 170 of 2022 dated 23.04.2022 respectively. It is submitted that after investigation the police has submitted the final form, not sending the petitioner for trial, however, the Magistrate took cognizance against the petitioner. It is submitted that another accused person, namely, Rajesh Yadav has been granted bail *vide* order dated 30.11.2022 passed in Cr. Mis. No. 36775 of 2022. Lastly, it has been submitted that he has no criminal antecedent.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner in connection



with Rajoun P.S. Case No. 143 of 2022, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-Ist Class, Banka, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

prabhat/-

U		T	
---	--	---	--

