

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33304 of 2024

Arising Out of PS. Case No.-350 Year-2023 Thana- BELHAR District- Banka

Vimal Yadav S/o Ram Yadav Resident of village Fulhara tola, post fulhara, PS
Belhar, Dist Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vibhakar Kumar
For the Opposite Party/s : Mr. Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 05-08-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.
2. The learned counsel for the petitioner submits that
the deficit court fee has been paid. Rest of the defects are
ignored.
3. The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 147, 149,
323, 307, 379, 354(A), 504 and 506 of the Indian Penal Code.
4. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the informant
alleges that while his brother was returning home after attending
the nature's call, he was intercepted by the accused persons
including the petitioner and the accused assaulted him with lathi
and rod, on account of which, he became unconscious and when



his mother came to save him, the accused misbehaved and assaulted her and snatched her silver chain. The learned counsel submits that from perusal of the allegation as alleged in the F.I.R., it would manifest that the allegation of assault is general and omnibus in nature i.e. no specific allegation of assault is alleged against any of the accused. It is also submitted that from side of the petitioner Belhar P.S. Case No.349/2023 was instituted and the present F.I.R. i.e. Belhar P.S. Case NO.350/2023 is a counter blast. It is next submitted that the injury suffered by the injured is swelling over left temporal area and opinion is reserved. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that informant is not an eyewitness nor he discloses that his brother or mother had informed him with regard to the assault alleged to have been meted out by the accused persons. It is next submitted that petitioner is aged about 59 years and has remained a person with clean antecedent all through life and all of a sudden based on general and omnibus allegation has been made a criminal.

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

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the



event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Belhar P.S. Case No.350/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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