

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31324 of 2024

Arising Out of PS. Case No.-302 Year-2022 Thana- BANKA District- Banka

Mithun Kumar Yadav @ Mithun Yadav son of Kamik Yadav Resident of
Village- Kunauni, P.S.- Banka, District- Banka

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-07-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 341, 323, 307, 448, 354, 379,
504/34 of the IPC.

3. Allegedly, the F.I.R. named accused persons are alleged
to have indiscriminately assaulted the informant and his family
members. The petitioner is said to have assaulted the
informant's brother on his head by means of rod. They also
disrobed the informant's wife with intent to outrage modesty.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case due to grudge. No such
occurrence, in the manner as alleged, has ever taken place. The



allegation leveled against the petitioner is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. The injury of the injured was found simple in nature which is clear from the injury report. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail.
6. Having regard to the facts and circumstances of the case, since the injury was found simple in nature, 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 Banka P.S. Case No.302 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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