

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29716 of 2024

Arising Out of PS. Case No.-173 Year-2022 Thana- SONO District- Jamui

Dilip Yadav @ Dilip Kumar Yadav S/o Sahodar Yadav R/o vill - Salaiya, P.S.
- Sono, Distt. - Jamui.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar

For the Opposite Party/s : Mrs.Renu Kumari

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 15-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Sono P.S. Case No. 173/2022 registered for the offences punishable under Sections 341, 323, 447, 448, 379, 354, 308, 504, 506 and 34 of the Indian Penal Code.

3. As per prosecution case, on 13.05.2022 at about 7:00 PM informant was talking on mobile in the meantime, petitioner came and snatched the informant's mobile. On the next morning, when the informant went to the house of the petitioner to make complain, he started abusing and assaulting her. It is further alleged that on 13.06.2022 when the informant was at her house, petitioner and others entered into the house of the informant and started abusing and assaulting



her. In course of assault, co-accused Sohodar Yadav gave lathi blow over the head of the informant's husband due to which informant's husband received injury over his head. Petitioner assaulted the informant by means of lathi. It is further alleged that co-accused Sangita Devi alongwith co-accused Champa Devi and Sahodari Devi assaulted by means of fists and legs. It is further alleged that during course of assault mobile phone of the informant's husband worth Rs.14,000/- was taken away by the accused persons. It is further alleged that co-accused Sahodari Devi snatched ear-ring and chain from the informant.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. The petitioner and the informant are own gotiya and due to previous enmity of land dispute the present case has been instituted against the petitioner. He further submits that injury reports of informant and her husband have been found simple in nature, as mentioned in impugned order. He further submits that all the sections are bailable in nature, except Sections 308, 354 and 379 of the IPC and said sections are nothing but super-addition to make the offence grave. Petitioner bears criminal antecedent of one case. He further submits that on similar and identical



allegation, co-accused Sahodar Yadav has already been granted anticipatory bail by this court vide Misc. No.32755/2023 and on the principle of parity, the petitioner also deserves same treatment.

5. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, co-accused has already been granted anticipatory bail, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Jamui in connection with Sono P.S. Case No. 173/2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Alok Kumar Pandey, J)

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