

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39419 of 2023

Arising Out of PS. Case No.-416 Year-2020 Thana- PHULPARAS District- Madhubani

JITENDRA YADAV Son of Prahlad Yadav Resident of village - Dhanauja,
P.S. - Phulparas, Distt. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagan Deo Yadav, Advocate Mr. Ravi Prakash, Advocate
For the Opposite Party/s	:	Mr. Sanjay Kumar Sharma, A.P.P.
For the Informant	:	Mr. Jitendra Bharti, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 01-07-2024 Heard learned counsel for the petitioner, informant
and the State.

2. Petitioner apprehends arrest in a case registered for
the offences punishable under Sections 341, 323, 354, 307, 379,
504/34 of the Indian Penal Code.

3. As per the F.I.R., on 12.08.2020 when the
informant was coming with his family from Krishna Ashtwi
Festival, all the accused persons including this petitioner abused
and assaulted them and molested his wife and daughter. It is
further alleged that this petitioner assaulted wife and daughter of
the informant by means of iron rod.

4. Learned counsel for the petitioner submits that no
occurrence as alleged in the F.I.R. has ever taken place and



entire prosecution case is false and concocted. As per F.I.R., the occurrence is alleged to have taken place on 12.08.2020 and F.I.R. has been lodged on 23.08.2020 i.e. after inordinate delay of 11 days. Police after investigation submitted final form against the petitioner and during investigation, allegation against the petitioner was found false but differing with the same, court below has taken cognizance.

5. Learned counsel for the informant vehemently opposed the bail application.

6. Considering the facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-II, Jhanjharpur, Madhubani in connection with Phulparas P. S. Case No. 416 of 2020, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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