

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43917 of 2024

Arising Out of PS. Case No.-249 Year-2023 Thana- KISHANPUR District- Supaul

Om Prakash Yadav @ Om Prakash Kumar S/o Sukhdev Yadav R/o Village-
Narhi, shivpuri ward no.-03, p.s.-Kishanpur, District-Supaul, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kuldeep Kumar

For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 01-08-2024 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel appearing on behalf of
the informant.
2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 147, 148,
149, 341, 323, 324, 325, 307, 354B and 379 of the Indian Penal
Code.
3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
informant alleges that the petitioner grabbed her hair and started
dragging her towards his house on account of which her cloth
got torn, further petitioner along with Pramod Yadav assaulted
her nephews by an iron rod on account of which their hands got
fractured, apart from other allegations as alleged in the FIR.



4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case for the reason that his wife had instituted Kishanpur PS Case No. 250 of 2023 against the informant and 17 others on 23-11-2023. It is also submitted that one injury of Shankar is said to be grievous caused by hard and blunt substance, which is on the left palm and the injury is in the nature of bruise, while injury of Vikash on left ring finger caused by hard and blunt substance is simple and the nature of injury suffered by informant is not recorded in the injury report.

5. Learned A.P.P. for the State and learned counsel for the informant oppose the prayer for anticipatory bail of the petitioner and the learned counsel appearing on behalf of the informant submits that petitioner has not approached this Court with clean hands. It is next submitted that petitioner has concealed his criminal antecedent as Kishanpur PS Case No. 186 of 2020 was instituted against him which is still pending. Learned counsel for the petitioner submits that he does not have any instruction on the issue

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 trial court



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 Kishanpur P.S. Case No. 249 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. It is made clear that the learned trial court before accepting the bail bonds of the petitioner shall verify the criminal antecedents of the petitioner and in the event if it is found that the petitioner has antecedent of even one case in that event the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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