

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48777 of 2024

Arising Out of PS. Case No.-172 Year-2024 Thana- GAUTAMBUDHNAGAR District-
Siwan

=====

SURESH YADAV @ BALISTER YADAV @ RAMSUBHAG YADAV SON
OF LATE DINESHAR YADAV @ LATE DINESHVAR YADAV R/O-
VILLAGE- KANA HAR, P.S.- G.B. NAGAR (TARWARA), DISTT.- SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary, Adv.

For the Opposite Party/s : Mr.Jharkhandi Upadhyay, APP

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 18-09-2024 Heard Learned Counsel for the petitioner and

Learned APP for the State.

2. The petitioner is apprehending arrest in a case registered for the offences punishable in connection with G.B. Nagar P.S. Case No.172 of 2024 under Sections 143, 341, 323, 324, 307, 504 and 506 of the Indian Penal Code.

3. As per the prosecution, the FIR has been lodged against 6 named accused persons including the petitioner against whom there is allegation that he has stabbed by knife on the right side of abdomen of the informant due to which he fell down and injured.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits



that the petitioner and accused persons are well known to each other. He further submits that it is true that both appeared in the Tilak Ceremony and scuffling took place between them, but he has denied that he had stabbed knife. In support of his argument, he submits that for the said date and place of occurrence, there is case and counter-case. One case was filed by the informant and another case was filed by the petitioner which is Annexure-3 of the present bail application.

5. Learned Counsel further submits that he has annexed typed copy of injury report vide Annexure-P/2 of the bail application and with a view to verify the same, this Hon'ble Court has pleased to call for the case diary and injury report.

6. Learned Counsel also submits that antecedent of the petitioner is clean and only due to political rivalry, this case has been lodged.

7. Learned APP for the State opposes the prayer for bail and submits that there is direct allegation of stabbing by knife in the stomach of the informant. From the case diary and injury report, it become clear that injury is simple in nature.

8. In the present facts and circumstances, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Court below within a period of 4



weeks from today, on furnishing bail bonds of Rs.30,000/-
(Rupees Thirty thousand) with two sureties of the like amount
each to the satisfaction of Addl. Chief Judicial Magistrate-IV,
Siwan in connection with G.B. Nagar P.S. Case No.172 of 2024,
subject to the conditions as laid down under Section 438(2) of
the Cr.P.C.

(Dr. Anshuman, J.)

Prakashmani/-

U		T	
---	--	---	--

