

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63385 of 2024

Arising Out of PS. Case No.-798 Year-2023 Thana- BARACHATTI District- Gaya

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Dinesh Yadav S/O Gauri Yadav R/O Village- Hade, P.S- Mohanpur, Distt.-
Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar, Adv.

For the Opposite Party/s : Mr.Umeshanand Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 05-10-2024 Heard Mr. Vijay Kumar, learned counsel for the

petitioner and Mr. Umeshanand Pandit, learned APP for the

State.

2. The petitioner apprehends his arrest in connection
with Barachatti (Mohanpur) P.S. Case No. 798/ 2023 dated
20.08.2023 registered for the offence(s) punishable under
Section(s) 341, 323, 308, 379, 504 and 506 of the Indian Penal
Code.

3. The main submissions advanced by learned counsel
for the petitioner are that as per the F.I.R., the alleged
occurrence took place on 11.07.2023 and the informant's
husband who is said to be the sole injured was treated on the
same day of occurrence, i.e., on 11.07.2023 but even then he did
not take any step to lodge the F.I.R. and remained silent for



several days and finally his wife lodged the F.I.R. on 20.08.2023 without any explanation regarding the said delay, in fact, the informant's husband sustained injuries on account of falling from his motorcycle and further, on the person of informant's husband only bruises, abrasions and pain were found by the doctor concerned and in this regard, his injury report, Annexure-2, may be perused. It is further submitted that prior to lodging of the F.I.R. of the present matter, Barachatti P.S. case No. 315/2023 had been lodged by the petitioner's wife against the husband of the informant and others and in order to create pressure so that the said Barachatti P.S. case No. 315/2023 can be compromised the instant matter was falsely prepared.

4. Mr. U. N. Pandit, learned APP appearing for the State has opposed the bail prayer of the petitioner.

5. Considering the facts and circumstances of this case as well as the above submissions and the nature of injuries sustained by the informant's husband, who is said to be the sole injured, and also tense relationship in between both the parties which had been existing prior to the alleged occurrence, this court is inclined to accept the anticipatory bail prayer of the petitioner. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned court below



within a period of six weeks from today, be released on anticipatory bail in connection with Barachatti (Monahpur) P.S. Case No. 798/ 2023 on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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