

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64069 of 2023

Arising Out of PS. Case No.-80 Year-2023 Thana- TANDWA District- Aurangabad

1. Umesh Yadav Son Of Kanhai Yadav Resident Of Village - Ghura Sagar Karimana Garh, Police Station - Tandwa, District - Aurangabad (BIHAR)
2. Mantu Yadav Son Of Kanhai Yadav Resident Of Village - Ghura Sagar Karimana Garh, Police Station - Tandwa, District - Aurangabad (BIHAR)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamlendra Pd. Singh

For the Opposite Party/s : Mr.Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 02-01-2024 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. Learned counsel for the petitioner submits that the petitioner No. 1 has been arrested. Accordingly, he seeks permission to withdraw the present application.

4. Permission is accorded.

5. Accordingly, the present application is dismissed as withdrawn.

6. The petitioner is apprehending his arrest in



connection with Tandwa P.S. Case No. 80 of 2023 dated 19.07.2023 registered for the offences punishable under Sections 341, 323, 325, 379, 354, 447, 448, 363, 365, 504 and 506 read with 34 of the Indian Penal Code.

7. As per the prosecution case, the petitioner and the co-accused persons are alleged to have entered the house of the informant and started abusing and assaulting her. In the meantime, Umesh Yadav assaulted the informant's husband with danda causing injury. Thereafter, they assaulted the informant's elder daughter and outraged her modesty. Further, the accused persons told that the informant and her son was in their custody and told her that they would release them after receiving the money.

8. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. Nothing has been recovered from the possession of the petitioner. There is general and omnibus allegation against the petitioner. The victim in his statement recorded u/s 164 of the Cr.P.C has not stated the name of the petitioner in the crime alleged.

9. Learned A.P.P. for the State has vehemently



opposed the prayer for anticipatory bail of the petitioner.

10. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Aurangabad in connection with Tandwa P.S. Case No. 80 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

11. The application stands allowed.

(Chandra Prakash Singh, J)

atul/-

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

