

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68717 of 2023

Arising Out of PS. Case No.-63 Year-2009 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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HARENDRA YADAV S/O BINDESHWARI YADAV @ CHOUDHARY @
MANGRU YADAV R/O VILLAGE- HATHIKHAL, PS. PHULWARIA,
DIST. GOPALGANJ

... .. Petitioner/s

Versus

1. The State of Bihar
2. BABURAM YADAV S/O RAJDHARI YADAV R/O VILLAGE- AMWAN
NAKCHHED, PS. GOPALGANJ, DIST. GOPALGANJ

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Satyendra Rai, Adv.
For the Opposite Party/s :	Mr.Dashrath Mehta, APP.
	Mr. Kumar Harshvardhan, Adv.
	Mr. Sumit Shekhar Pandey, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 29-02-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in connection with Complaint Case No. 63 of 2009 registered for the offences punishable under Sections 323, 498(A), 494, 406, 467, 468 of the Indian Penal Code.

3. Allegedly, all the accused persons including the petitioner are said to have tortured the daughter and grand daughter of the complainant and ousted them from the matrimonial home of the complainant's daughter. They also kept her *stridhan* and in connivance with each other, they solemnized



the second marriage of the petitioner with the daughter of one Bhirgun Choudhary.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and he has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. From bare perusal of record, it is evident that petitioner was in Abu Dhabi when the alleged occurrence took place. He came to know about the case on 03.06.2023 when police came at his door and thereafter, he went to Gopalganj and met his lawyer and moved anticipatory bail application before the learned Court below. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the complainant opposes the prayer for bail. Learned counsel for the complainant submits that the present complaint was filed in the year 2009 and cognizance was also taken against him itself. Summons were also issued, but the petitioner failed to appear and due to his non-appearance, the matter could not be reconciled between the parties. Petitioner had full



knowledge of the present complaint case.

6. Considering the facts and circumstances of the case as well as the arguments of the parties, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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