

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72743 of 2023

Arising Out of PS. Case No.-182 Year-2022 Thana- GANGTA District- Munger

Raj Kumar Yadav Son Of Jawahar Yadav Resident Of Dariapur, P.S.- Gangta,
District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 29-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Gangta P.S. Case No. 182 of 2022 dated 04.11.2022 instituted for the offence punishable under Sections 147, 149, 341, 323, 324, 308, 504, 427 of the Indian Penal Code.

3. The prosecution case, in short, is that on 01.11.2022 at about 10 am, the petitioner along with other co-accused persons started abusing the husband of the informant. On protest, they assaulted her husband with sword, farsa, lathi. Allegation against the petitioner is that he assaulted the daughter of the informant by sword. It is also alleged that other accused persons have assaulted the informant and her family members.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case.



It is further submitted that there is specific allegation against Raj Kumar Yadav(petitioner), who assaulted the daughter of the informant by means of sword, but the injury report of the injured person does not corroborate the allegation of assault by means of sword. On perusal of the impugned order and case diary, it transpires that there is no injury of sharp cut. Learned counsel for the petitioner submits that F.I.R. has been lodged against eight persons including the petitioner. Learned counsel for the petitioner further submits that there is a case and counter case bearing Gangta P.S. Case No. 179 of 2022 against the the husband of the informant for the offence punishable under Section 147, 148, 149, 341, 323, 324, 308, 504, 506 of the Indian Penal Code, which has been lodged by the father of the petitioner earlier to the present case. Lastly, it has been submitted that petitioner has no criminal antecedents.

5. Learned A.P.P. has vehemently opposed the prayer for anticipatory bail of the petitioner and submitted that there is specific allegation against the petitioner, who assaulted the daughter of the informant by means of sword and multiple injury has been found on her body.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Gangta P.S. Case No. 182 of 2022, he will be released on bail upon furnishing bail bonds of Rs. 10,000/-



(ten thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Munger subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

premchand/-

U			
---	--	--	--

