

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82894 of 2023

Arising Out of PS. Case No.-16 Year-2022 Thana- ISLAMPUR District- Nalanda

Ramashray Yadav S/O Late Sukhu Yadav Village- Nauranga, Ps. Islampur,
Dist. Nalanda.

... .. Petitioner

Versus

1. The State Of Bihar
2. Anita Devi, W/o Ramashray Yadav resident of village – Nauranga Police
Station Islampur, District Nalanda presently village Lakhahar, Police
Station Ghoshi, District Jehanabad

... Opposite Party

Appearance :

For the Petitioner : Mr.Lakshmindra Kumar Yadav, Advocate
For the Opposite Party : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 20-06-2024 Heard learned counsel for the petitioner and the State.

Nobody appeared for opposite party no.2 in spite of valid
service of notice.

2. The petitioner apprehends arrest in a case registered
for the offence punishable under sections 341, 323, 324, 498A,
506/34 of the Indian Penal Code.

3. As per the prosecution case, all the FIR named
accused persons including this petitioner abused and assaulted
the brother and father of the informant and when she protested,
these accused persons assaulted the family members of the
informant. Co-accused Sonu Kumar assaulted brother of the
informant with Lathi causing him head injury and he also bite
the finger of informant's brother.



4. Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Allegation of assault is general and omnibus against this petitioner and no specific overt act has been alleged against him. As a matter of fact, for the same set of offence informant had filed Complaint Case No. 24/2022, again she has filed the instant case for the same offence to pressurize the petitioner. Petitioner and informant got married 20 years back. Petitioner claims clean antecedent.

5. Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1st class Hilsa, Nalanda in Islampur PS case No.16/2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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