

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20149 of 2015

Arising Out of PS.Case No. -438 Year- 2014 Thana -NAUBATPUR District- PATNA

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Subhash Yadav S/o Bihari Yadav, resident of village- Raghunathpur,
Bhelura PS Naubatpur District Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kr Singh No.1

For the Opposite Party/s : Mrs. Indu Kumari Srivastav(APP)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 03-07-2015

Heard both sides.

The petitioner seeks bail in a case under Section 307 and other sections of the Indian Penal Code.

The informant is own brother of the petitioner. The informant alleged that petitioner and his son were cutting the ridge and when the informant went there the petitioner and his son assaulted him with spade on his head.

It is submitted that annexure-2 is the injury report which shows three injuries on the informant, two lacerated wound on the head and one abrasion but the injuries are opined to be simple in nature. The aforesaid injury report is issued by Dr. B. K. Gupta, Medical Officer of Naubatpur. The petitioner is in custody since 31.01.2015.

On the other hand learned counsel for the informant

opposed the prayer and has submitted that the informant got grievous injury as the same doctor issued supplementary injury report stating that the informant was treated in Patna Medical College and Hospital and frontal bone of left side of informant was found fractured and one injury is opined to be grievous in the supplementary injury report.

The petitioner and his son were alleged to have assaulted with spade. The petitioner has already remained in jail for more than five months.

Considering the facts aforesaid and the nature of allegation made against the petitioner, the above named petitioner is directed to 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 the learned Additional Chief Judicial Magistrate, Danapur (Patna) in Naubatpur P.S. Case No. 438 of 2014.

(Prabhat Kumar Jha, J)

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