

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43779 of 2015

Arising out of PS.Case No. -59 Year- 2015 Thana -BARAULI District- GOPALGANJ

Master Yadav, Son of Late Tilakdhari Yadav, resident of Village - Kotwa Koeri Hata, Police Station - Barauli, District - Gopalganj.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

Appearance :

For the Petitioner : Mr. Umesh Kumar Singh, Advocate.

For the Opposite Party : Mr. Anish Chandra(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH  
ORAL ORDER

3 01-12-2015 Heard learned counsels for the petitioner, informant and learned counsel for the State

The petitioner is languishing in custody since 13.07.2015 in connection with Barauli P.S. Case No. 59 of 2015 (G.R. No. 1137 of 2015), for the offences instituted under Sections 341, 323, 324, 307, 448, 504 and 506/34 of the IPC.

The prosecution story, in brief, is that when the informant was at the door, accused petitioner, wife of the petitioner and Shatrudhan Yadav, all are residents of Village- Kotwa Koeri Hata, Police Station- Barauli, District-Gopalganj, came there and caught the informant and accused petitioner assaulted him by means of knife over back and some far from the

neck causing sustained injury, in result, he fell down. The accused persons also quarreled with the informant one day ago. It is further alleged that the informant was brought to local hospital for treatment and he was referred to PMCH, Patna, for better treatment and there treatment is going on. The cause of occurrence is due to land dispute.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner is in custody since 13.07.2015 and the charge sheet has been submitted in the case. There is no allegation of tampering of the evidence against the petitioner. It is a case and counter case. There is an admitted land dispute between the parties. The petitioner is 60 years old. There is allegation of single *Chhura* blow upon back of the informant. No offence under Section 307 IPC is attracted against the petitioner.

On behalf of the learned counsels for the informant and the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released 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 J.M. Ist Class,

Gopalganj, in connection with Barauli P.S. Case No.  
59/2015(G.R. No. 3137/2015).

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**(Sudhir Singh, J)**

