

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30519 of 2014

Arising Out of PS.Case No. -37 Year- 2014 Thana -PARAIYA District- GAYA

=====

Ram Pravesh Singh @ Ram Pravesh Yadav, S/o Nand Kishore Yadav,
Residence of Village- Laxman Bigha, P.S. Paraiya, District- Gaya.

=====

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma, Adv.

For the Opposite Party/s : Mr. Sunil Kr.Pandey, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 22-01-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner, apprehending his arrest in connection with Paraiya P.S. Case No. 37 of 2014 registered for the offences punishable under Sections 147, 148, 323, 307 and 506 of the Indian Penal Code, seeks the privilege of pre-arrest bail.

Allegedly, the informant was called by co-accused and when he tried to flee away from there, the petitioner assaulted him with Sabbal (iron Khanti) causing head injury and he fell down and thereafter all the accused persons assaulted him indiscriminately with fists and legs.

Submission is that there is bona fide land dispute and dispute for share between the parties. The share has already been given to the informant, which he already registered in the name of his son-in-law and his daughter. The petitioner has got no criminal

antecedent and there are two injuries on the person of Bhushan Yadav. The informant got one injury i.e. incised wound on left side frontal portion of head 3x4/12x skin deep but the Doctor has mentioned that injury as dangerous for life, resultantly his prayer for pre-arrest bail has been rejected by the learned Sessions Judge. It is also submitted that skin deep injury cannot be dangerous to life, to which the learned A.P.P. fairly submits that the injury is skin deep.

In the facts and circumstances as stated above, considering that skin deep injury has been found on the left side of frontal portion of head and there is bona fide land dispute and as such, the petitioner, in case of his arrest or surrender within two months from the date of receipt/production of the copy of this order, shall be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Smt. Pratibha, Judicial Magistrate 1st Class, Gaya in connection with Paraiya P.S. Case No. 37 of 2014, subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Jitendra Mohan Sharma, J.)

Vats/-

U		T	
---	--	---	--