

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32871 of 2014

Arising Out of PS.Case No. -116 Year- 2014 Thana -BAKHTIYARPUR District- SAHARSA

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Abinash Yadav @ Abinash Kumar, Son of Ganeshi Prasad Yadav @
Ganeshi Yadav @ Ganesh Yadav, resident of Saini Tola, Bakhtiyarpur, P.S.
– Bakhtiyarpur, District – Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate.

For the Opposite Party/s : Mr. B.N.Pandey(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 04-02-2015

Heard both sides.

The petitioner apprehends his arrest in Bakhtiyarpur
P.S. Case No. 116 of 2014, registered for the offences punishable
under Section 307 and other Sections of the Indian Penal Code.

The informant alleged that the petitioner and others
came and tried to kidnap his father. The petitioner and
Abhinandan Yadav are alleged to have caught the father of the
informant. Ganeshi Yadav assaulted the father of the informant
with Khanti on his head and his father fell down after becoming
unconscious. The petitioner and Abhinandan Yadav are alleged to
have taken away a box containing Rs. 10,000/- and ornaments.

Learned counsel for the petitioner submits that there
is case and counter case. From the side of the petitioner's

Bakhtiyarpur P.S. Case No. 117 of 2014 was registered against the present informant and his father. The petitioner and the informant are agnates. The allegation of theft is ornamental. There is no allegation of assault against the petitioner.

On consideration of the facts it appears that the petitioner and informant are agnates, there is case and counter case and there is no allegation of assault against the petitioner, he, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are 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 Chief Judicial Magistrate, Saharsa in connection with Bakhtiyarpur P.S. Case No. 116 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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