

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46863 of 2015

Arising Out of PS.Case No. -207 Year- 2015 Thana -BARHARA District- BHOJPUR

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1. Gobardhan Yadav Son of Anirudh Yadav Resident of Village- Padminia
Ps. Barhara (Krishnagarh) District Bhojpur .

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Uday Singh

For the Opposite Party/s : Mr. Gulnar Begum(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 06-10-2015 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

According to the prosecution case itself, the alleged
occurrence took place on 25.04.2015 but the fardbeyan of the
informant was recorded on 30.06.2015, i.e., near about after more
than two months of the alleged occurrence.

There is accusation that this petitioner gave Fersa blow
causing forehead injury to the informant but learned counsel for
the petitioner drew my attention towards Annexure-2 series and
submits that the requisition for examination of injuries of
informant was issued by officer –in-charge of Krishnagarh Police
Station , Bhojopur on 25.04.2015 i.e. on the alleged date of
occurrence itself and later on, on 26.04.2015 the supplementary



injury report of the informant was submitted . It is contended by him that the aforesaid supplementary injury report does not bear the designation of the concerned doctor. Moreover, the aforesaid document also reflects that the informant went to the police station on the alleged date of occurrence but she did not lodge any case. It is further contended by him that as a matter of fact, on the alleged date of occurrence the petitioner's nephew was assaulted by the prosecution party who died in course of his treatment and the informant of the present case with an intent to save his skin lodged the present case. He drew my attention to Annexure-3 to this petition, which is copy of the F.I.R. of Barahara (Krishnagarh) P.S. Case No.209 of 2015 lodged by Kumkum Devi, the sister of the petitioner, against the informant of this case and others for assaulting her son, the nephew of the petitioner, which resulted into his death

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Ara in connection with Barahara (Krishnagarh) P.S.Case No. 207 of 2015.

(Hemant Kumar Srivastava, J)

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