

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.37721 of 2015**

Arising Out of PS.Case No. -6 Year- 2015 Thana -GOPALPUR District-  
WESTCHAMPARAN(BETTIAH)

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1. Shambhu Yadav Son of Late Bunel Yadav Resident of village -  
Magorahiya, P.S. Gopalpur, District - West Champaran

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Navin Kumar Pandey(App)

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR**  
**SRIVASTAVA**  
**ORAL ORDER**

3      05-11-2015      Heard learned counsel for the petitioner as well as  
learned Additional Public Prosecutor for the State.

Petitioner is said to have assaulted the deceased by  
iron rod causing injury on his head and prior to that the deceased  
was assaulted by Rajendra Yadav as a result of which deceased's  
ear began to bleed. The inquest report of the deceased, copied at  
para-39 of the case diary, shows that no injury was found on the  
head of the deceased and the post mortem report of the deceased  
also appears to show the above stated fact.

The contention on behalf of the petitioner is that there  
was serious land dispute between the parties and after death of  
deceased, when statement of son of the deceased was recorded at

para-40 of the case diary, the son of the deceased made omnibus allegation of assault against the petitioner and other accused.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bettiah, West Champaran in connection with Gopalpur P.S. Case No. 06 of 2015.

**(Hemant Kumar Srivastava, J)**

SHAHZAD/-

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