

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9883 of 2016

Arising Out of PS.Case No. -426 Year- 2015 Thana -AURANGABAD TOWN District-
AURANGABAD

- =====
1. Yogesh Ram @ Jagesh Ram Son of : Madhaw Ram.
 2. Madhav Ram, Son of : Late Dukhi Ram. Both residents of Mohalla:
Shahpur, Ambedkar Nagar, P.S. Aurangabad District: Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad(APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-04-2016 Learned counsel for the petitioners seeks

permission to delete the name of petitioner no.2, Madhav

Ram, as he has already been arrested.

Permission is granted.

Heard learned counsel for the petitioner no.1,

the sole petitioner and learned A.P.P. for the State.

Petitioner no.1 apprehends his arrest in

connection with Aurangabad Town P.S. Case No. 426 of

2015 registered for offence punishable under Sections 452,

341, 323, 324 and 307/34 of the Indian Penal Code.

The prosecution case, in brief, is that accused

persons, including petitioner entered in the house of the

informant and started assaulting her and her father-in-law, as a result of which both of them sustained injuries.

It has been submitted by the counsel for the petitioner that petitioner has no criminal antecedent and that the informant and her father-in-law, Ganauri Ram have got injuries by hard and blunt substance. It has further been submitted that there is land dispute between the parties and a counter case has also been filed by petitioner's side by one Madhav Ram, bearing Aurangabad Town P.S. Case No. 427 of 2015 against the informant's side. He further submits that no case under Section 307 of the Indian Penal Code is made out, as injury is not caused by sharp cutting weapon.

However, learned A.P.P. for the State opposes the prayer for bail stating that petitioner is named in the First Information Report.

Be that as it may, let petitioner, namely, Yogesh Ram @ Jagesh Ram, in the event of his arrest or surrender before the Court below within a period of eight weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of like amount each to the satisfaction of learned Chief Judicial

Magistrate, Aurangabad in connection with Aurangabad
Town P.S. Case No. 426 of 2015, subject to the conditions
as laid down under Section 438 (2) of the Cr. P.C.

(**Nilu Agrawal, J.**)

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