

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14431 of 2016

Arising Out of PS.Case No. -322 Year- 2015 Thana -MADHEPURA District- MADHEPURA

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Bablu Yadav Son of Late Gaya Mandal (Yadav) resident of Village Azad
Nagar Ward No.09, Madhepura, P.S. & District- Madhepura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar, Advocate

For the Opposite Party/s : Mr. Kalayan Shankar(APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 20-04-2016

Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner apprehends arrest in connection with
Madhepura P.S. Case No. 322/15 for offences alleged under
Sections 341, 323, 307, 324, 379, 504/34 of the Indian Penal
Code.

The prosecution case, as lodged by the informant
is that petitioner assaulted Rakesh Ranjan Raja with lathi and co-
accused Raben Yadav assaulted him with Sohal with intention to
kill and with informant and her son came to rescue him they were
also assaulted.

It has been submitted by the learned counsel for
the petitioner that he is innocent having no criminal antecedent
and has falsely been implicated in the aforesaid case along with
others due to land dispute. It has further been submitted that a

counter-case has been lodged by the petitioner's side bearing Madhepura P.S. Case No. 325/15 regarding the same offence. He further submits that no case under Section 307 of the Indian Penal Code is made out against the petitioner as the petitioner had danda in his hand and the allegation against him is of beating by danda. Furthermore, counsel for the petitioner submits that similarly situated other co-accused have since been granted the privilege of anticipatory bail by a Co-ordinate bench of this Court in Cr. Misc. No. 11484 of 2016 on 28.03.2016.

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

Be that as it may, let petitioner, above named, 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) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Madhepura, in connection with Madhepura P.S. Case No. 322/15, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nilu Agrawal, J.)

Rajesh/-

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