

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19896 of 2016

Arising Out of PS.Case No. -253 Year- 2015 Thana -CHHATAPUR District- SUPAUL

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1. Giranand Yadav @ Gopal Yadav Son of Satyanarayan Yadav resident of village Khutti P.S.- Chhatapur, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 04-05-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341,323,324,307,379 and 504/34 of the Indian Penal Code.

The prosecution case is that the while the informant was going to his field with tractor, the accused persons including the petitioner came variously armed in front of the tractor. Co accused Surendra yadav took out the key of the tractor whereas co accused Subhash Yadav threw the informant on the ground and the petitioner hurled a Dabia blow on his head causing injury. Thereafter co accused Anil Yadav, Mithilesh Kumar and Pravesh Kumar came along with a rope and tried to strangulate the informant. The accused persons took away gold chain and five

thousand rupees from the informant.

It is submitted by the learned counsel for the petitioner that the accusation is omnibus and general though the petitioner is alleged to have assaulted the informant with Dabia, a sharp cutting weapon but the injuries found on the person of the informant have been opined to have been caused by hard and blunt substance. Though injury on the right parietal region has been found to be grievous but it is opined by the doctor that the said injury has been caused by hard and blunt substance. There is counter version of the occurrence.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM II, Supaul, in connection with Chhatapur P.S. Case No. 253 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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