

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22763 of 2016

Arising Out of PS.Case No. -124 Year- 2014 Thana -SHAKURABAD District- JEHANABAD

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Raushan Yadav, S/o Surajdev Yadav, resident of village- Pati Bigha, P.S.-
Shakurabad, District- Jehanabad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Soni Shrivastava, Advocate

For the Opposite Party/s : Mr. Ajay Kr. 1(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-05-2016

Heard learned counsel for the petitioner and the
State.

The petitioner is apprehending his arrest in a
case registered for the offences punishable under Sections
147, 148, 324, 342, 506, 307, 379 of the Indian Penal
Code and 27 of the Arms Act.

The prosecution case is that in the night of
12.11.2014 the informant was sleeping in a hutment near
under constructed temple, when at 11.00 P.M. 4-5
persons came with deadly weapon and started threatened
the informant. It is further alleged that the petitioner
Raushan Yadav and co-accused Surya Deo Yadav
demanded the donation amount of the under constructed
temple kept in the hutment. When the informant made
protest then accused persons resorted to fire, causing
injury on the both legs.



It is submitted by the learned counsel for the petitioner that petitioners are agnates of the informant and due to petty land dispute accusation has been levelled. The injury report could not be produced before the learned lower court which gets reflected from the impugned order. The informant has retracted from the initial version and filed a petition to that effect before learned court below. For the occurrence of 12.11.2014 at 11.00 P.M. the fardbeyan was recorded on 13.11.2014 at 5.00 P.M. and the First Information Report came to be registered on 18.11.2014. Statement has been made in para-3 of the petition that petitioner has no criminal antecedent.

Considering the delayed lodging of the First Information Report and the retracted version of the informant, let the above named petitioner be released on bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Jehanabad in connection with Shakurabad P.S. Case No. 124 of 2014, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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