

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37787 of 2016

Arising Out of PS.Case No. -50 Year- 2016 Thana -MAJHAULIA District-
WESTCHAMPARAN(BETTIAH)

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Prabhu Yadav, Son of Jhagaru Yadav, Resident of village - Baithaniya,
Police Station- Majhaulia, District- West Champaran

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Kumar No.-7, Advocate

For the Opposite Party : Mr. Arun Kumar Singh-5 (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 19-09-2016 Heard learned counsel for the petitioner and the

learned counsel representing the State.

The petitioner seeks bail in connection with Majhaulia
P.S. Case No. 50 of 2016 registered for the offences punishable
under Sections 341, 323, 324, 307, 379, 504/34 of the Indian Penal
Code.

Allegedly, due to land dispute, the petitioner and other
FIR named accused persons assaulted the informant Girja Devi
causing several injuries to her and further her gold Mangalsutra
was also snatched away

Submission is of false implication and that due to land
dispute, the petitioner and another have been implicated. The
injury as it appears falsifies the prosecution story, as the injuries

have been found simple in nature. Similarly situated other three co-accused, namely, Gyanti Devi, Raju Yadav and Jhagru Yadav have been allowed pre-arrest bail by another co-ordinate Bench of this Court vide order dated 17.08.2016 passed in Cr. Misc. No. 30358 of 2016 and, as such, the petitioner also deserves sympathetic consideration.

The learned APP does not dispute.

In the facts and circumstances stated above, the petitioner shall be released on bail on execution of bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, West Champara, Bettiah, in connection with Majhaulia P.S. Case No.50 of 2016, subject to the conditions that one of the bailors must be near relative of the petitioner and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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