

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51711 of 2016

Arising Out of PS.Case No. -7 Year- 2014 Thana -KAUAKOL District- NAWADA

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1. Chandan Yadav Son of Late Bhagirath Yadav, Resident of Village-
Benipur, P.S.- Rupao, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suresh Singh, Advocate

For the Opposite Party/s : Smt. Sharda Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2 01-12-2016 Heard learned counsel for the petitioner as well as

learned APP for the State.

For an occurrence alleged to have been committed on

12.01.2014, a written report was filed on 21.01.2014 by the
informant Shankar Rajvanshi putting an allegation that on the
alleged date and time of occurrence while he along with Gauri
Shankar was returning from his field met with Pahlad with whom
he took tobacco. Then thereafter, Gauri Shankar was caught hold
who was assaulted with Lathi and sword. Firing was also made.
After fleeing of Gauri Shankar, informant was assaulted by
Laxman Yadav with Khanti on account of which there was
fracture over his hand. On instigation of Pahlad, it has been
alleged that Chandan gave sword blow. However, he managed to
escape therefrom. He also alleged that Dharmendra and Shambhu

were also involved in the aforesaid occurrence and then thereafter, he had stated that on 13.01.2014 he came to PS and on the basis of injury report having been prepared by the police, he was forwarded to primary hospital and from there to Sadar Hospital, Nawada.

From the order impugned, it is apparent that as per para-27 of the case diary, the informant had sustained three injuries caused by hard and blunt substance, grievous in nature:- (1) Swelling and pain 2"x2" on neck right side, (2) swelling 4"x4" on left thigh and (3) fracture right hand which certainly would not have been caused by the petitioner as has been alleged to have been hurled sword blow.

Accordingly, petitioner, Chandan Yadav is directed to be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Nawada in connection with Kawakol PS Case No. 07/2014.

(Aditya Kumar Trivedi, J)

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