

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34134 of 2016

Arising Out of PS.Case No. -28 Year- 2016 Thana -KHAIRA District- JAMUI

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Laxman Yadav, S/o Tarani Yadav, resident of Village- Gagri- Bishanpur,
Police Station- Khaira, District-Jamui

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Amrendra Kumar, Advocate

For the State : Mr. Harendra Prasad, A.P.P.

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 06-09-2016

I have heard learned counsel for the petitioner and the
State.

The petitioner apprehends his arrest in a case
registered for offences punishable under Sections 147, 341, 323,
342, 325, 307 and 504/34 of the Indian Penal Code.

It is contended on behalf of the petitioner that F.I.R.
lodged against him is a counter blast to the F.I.R. lodged by the
petitioner's side, a copy of which has been appended as Annexure
2. It is further contended that there was altercation between the
parties causing injuries on the both sides and petitioner has also
received injury upon the head. It is submitted that according to the
first information report, the petitioner has assaulted by iron rod on
the hand and leg upon the informant which has been noticed by

the sessions judge, Jamui, as injury no.3 and is compound fracture and is grievous in nature. However, it is urged that injury not being on vital part of the body, the ingredients of Section 307 of the I.P.C. would not be attracted so far as the petitioner is concerned. At best the offence would be punishable under Section 325 of the I.P.C. which is bailable section.

Having regard to the facts and circumstances of the case, let the petitioner, namely, Laxman Yadav be released on bail in the event of arrest/surrender before the court below within a period of six weeks from today in Khairia P.S. Case No. 28 of 2016, on furnishing bail bond of Rs.10,000 (Ten Thousand Rupees) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Jamui subject to the conditions as laid down under sub-section(2) of Section 438 of the Code of Criminal Procedure.

(Dr. Ravi Ranjan, J)

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