

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50071 of 2016

Arising Out of PS.Case No. -242 Year- 2016 Thana -GHOSI District- JEHANABAD

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Naulej Yadav son of Awadhesh Yadav, resident of village- Mayabigha, P.
S.-Ghosi , distt.- Jehanabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate

For the Opposite Party/s : Mr. R.B.Roy Raman, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-11-2016

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Sections 323, 341, 354, 504/34 of the Indian Penal Code.

Allegation against petitioner is that due to land dispute he assaulted informant with iron rod. He also assaulted his family members.

It is submitted on behalf of petitioner that he has got no criminal antecedent. No allegation of tampering of witnesses is alleged against petitioner. He has falsely been implicated in the present case. There is a proceeding under Section 107 of the Code of Criminal Procedure pending between the parties. No offence under Section 304 of the Indian Penal Code is made out in the present case.

On behalf of the State, it is submitted that petitioner is named in the F.I.R. and specific allegation of assault has been made against him.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner, same is rejected.

Any how, if petitioner surrenders in the court below, i.e., Chief Judicial Magistrate, Jehenabad, in connection with Ghosi P.S. case no. 242 of 2016 within a period of six weeks and prays for regular bail, same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

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