

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54909 of 2016

Arising Out of PS.Case No. -141 Year- 2016 Thana -AKBARPUR District- NAWADA

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Upendra Yadav, Son of Bullu Yadav, Resident of Village- Dariyarpur Tola
Haribansh Bigha, P.S.- Akbarpur, District- Nawada.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh

For the Opposite Party/s : Mr. Rajendra Prasad Nat

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-12-2016 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Akbarpur P.S. Case No. 141 of 2016 for the offences
instituted under Sections 341, 323, 307, 379, 337, 504 and 34 of
the Indian Penal Code.

The allegation against the petitioner is that he along
with other co-accused having armed with weapons assaulted on
the head of the son of the informant, causing broken injury and
when the husband of the informant went to save, he was also
assaulted with *Garasha* on his head, causing him injury and when
she started to object then the accused persons also assaulted her
with bricks and used abusive language against her and even took
away her golden chain.

It has been submitted on behalf of the petitioner that the



petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. He has falsely been implicated in the present case. There is a land dispute between the parties. The alleged occurrence is said to have been taken place because of the said land dispute. A petition has been filed on behalf of the defence for constituting a Medical Board to ascertain the nature of injury. In spite of constitution of the Medical Board, the victim has failed to appear before the Medical Board.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Akbarpur P.S. Case No. 141 of 2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Nawada, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J.)

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