

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28933 of 2016

Arising Out of PS.Case No. -185 Year- 2015 Thana -BARAHIYA District- LAKHISARAI

Dabloo Yadav son of Bhoroshi Yadav Resident of Village- Adrash
Laxmipur, Police Station- Barahiya, District Lakhisarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Rajesh Kumar, Advocate.

For the Opposite Party : Mr. Nagendra Prasad, APP.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 06-09-2016 Heard both sides.

The petitioner apprehends his arrest in Barahiya P.S.
Case No. 185 of 2015 registered for the offences punishable under
Sections 307, 395 and some other Sections of the Indian Penal
Code.

The informant filed the Complaint Case No. 449(C) of
2015 on the basis of which the present FIR was registered. The
informant alleged that Mantun Yadav and others having armed
with different weapons came to the house of the informant
assaulted him and looted away different articles from his house.

Learned counsel for the petitioner submits that the
occurrence is said to have taken place on 30.06.2015, but the
complaint was filed on 02.07.2015. The petitioner is, of course,

named in the FIR but no specific allegation is made against the petitioner. Sanjit Yadav lodged Barahiya P.S. Case No. 79 of 2015 on 08.05.2015 under Sections 323, 379 and 34 of the Indian Penal Code alleging therein that Chamru Mistri and his sons brutally assaulted the informant that is why the present case has been filed in order to save their skin.

Considering the facts aforesaid and the fact that there is case and counter case and the case of the petitioner is much prior to the case of the informant and no specific allegation is made against the petitioner in the entire complaint petition, the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Lakhisarai in Barahiya P.S. Case No. 185 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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