

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31844 of 2016

Arising Out of PS.Case No. -18 Year- 2005 Thana -GAMAHARIYA District- MADHEPURA

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1. Dani Yadav Son of late Kunji Lal Yadav Resident of Village-
Chandanpatti, PLS Gamhariya, District Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Opposite Party/s Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 18.08.2016 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner seeks bail in a case registered under section 307
and other minor sections of the Indian Penal Code.

Petitioner is said to have given twice garasa blow causing
head injury to the injured- Arvind Kumar who appeared to have
sustained simple injury.

No doubt, present case was lodged in the year 2005 and the
petitioner could be remanded in this case in the year 2016 but
submission on behalf of the petitioner is that after investigation police
submitted final form showing the accusation untrue in respect of the
petitioner but learned court below took cognizance for the offences
against the petitioner also.

It is further submitted that after taking cognizance neither
any notice nor any process was ever served upon the petitioner and

unfortunately, in the meantime, petitioner fell ill and he was got treated at different places that is the reason, he could not appear before the court below.

Considering the aforesaid facts and circumstances as well as this aspect of the matter that the petitioner does not have any criminal antecedent, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of Addl. Sessions Judge II, Madhepura in Sessions Trial no. 148/2013 arising out of Gamhariya P.S. Case no. 18/2005.

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(Hemant Kumar Srivastava,J)

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