

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44374 of 2016

Arising Out of PS.Case No. -22 Year- 2016 Thana -PURANHIA District- SHEOHAR

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Yogendra Prasad @ Yogendra Sah Son of Late Sitaram Prasad @ Sitaram Sah, resident of village- Kashipur, P.S.- Purnahiya, District- Sheohar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nirmal Kumar Sinha-3

For the Opposite Party/s : Mr. Dashrath Mehta, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 22-10-2016

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Purnahiya P.S. Case No. 22 of 2016 registered under Section 147, 148, 149, 447, 448, 323, 324, 307, 354, 380 and 504 of the Indian Penal Code and 27 of the Arms Act.

The accusation is that 12 persons named in the F.I.R., including the petitioner reached at the door of the informant armed with lathi, danda, sword and nalkatua and started to abuse and entered in the house. Santosh Kumar asked why he is not ready to caste vote in favour of Rubi Devi and gave threatening of dire consequences. At that time, Rajiv Kumar fired through Nalkatua but anyhow informant saved himself. In the meantime,

Mani Bhushan Yadav gave sword blow at his head causing blood oozing injury and other accused started to cause assault through lathi, danda and fists. In that course, Satya Narayan Tiwary and Pahlad Das also entered in his house and assaulted his wife with fists and slaps and torn her blouse. At that time, Satya Narayan Tiwary took cash Rs. 10,000/-

Learned counsel appearing on behalf of the petitioner submits that it would appear from the F.I.R. that while the petitioner is named in the F.I.R. along with 11 others but no overt act has been alleged against him and the petitioner has no criminal antecedent.

Having considered the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the S.D.J.M., Sheohar in connection with Purnahiya P.S. Case No. 22 of 2016 subject to the condition as laid down under Section 438(2) of the Cr. P.C.

Shail/-

(Rajendra Kumar Mishra, J)

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