

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7115 of 2016

Arising Out of PS.Case No. -379 Year- 2015 Thana -FORBESGANJ District- ARRARIA

1. Prakash Yadav Son of Shashi Nath Yadav, Resident of Village-Manikpur, P.S.- Simraha, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma, Advocate

For the Opposite Party/s : Mr. Smt. Anita Kumari (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-02-2016

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 324, 354, 379, 504 of the Indian Penal Code.

The prosecution case is that on 08.08.2015 at 9.00 A.M. the informant was cooking food, the accused persons including the petitioner entered into her house due to land dispute and started abusing and assaulting to her father-in-law with fists and slaps. When informant and Bandana Kumari came to rescue, then she was also chased by the accused persons and her sari was pulled by Munna and this petitioner, as a result she became naked. It is also alleged that Mitu Yadav snatched gold chain and

ear ring from the informant and Ajay took away box containing Rs. 40,000/-. It is alleged that Sujit assaulted with sword, causing injury on the head of the informant.

It is submitted by the learned counsel for the petitioner that for the occurrence of 08.08.2015 at 9.00 A.M. the First Information Report was registered on 12.08.2015 at 5.00 P.M., though the fardbeyan was recorded on 09.08.2015 at 4.00 P.M. There is no specific accusation of assault against the petitioner. Accusation of assault except co-accused Sujit is omnibus and general. For a petty dispute accusation has been levelled.

Considering the delayed recording of the fardbeyan, ultimate registration of the First Information Report and there is no specific accusation against the petitioner, let the above named petitioner be released on bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Forbesganj (Simraha) P.S. Case No. 379 of 2015, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Dinesh Kumar Singh, J)

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