

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2642 of 2016

Arising Out of PS.Case No. -412 Year- 2015 Thana -BAHERA District- DARBHANGA

1. Mantosh Yadav, Son of Bhola Yadav, Resident of Village- Dakhram,
P.S.- Bahera, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha

For the Opposite Party/s : Mr. P.K.Choursiya(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-01-2016 Heard learned counsels for the petitioner and
the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341,342,323,324,307,504,506 and 379/34 of the Indian Penal Code.

The prosecution case is that the accused persons came variously armed to the house of the informant and started assaulting and abusing the informant when the wife of the informant came to rescue then petitioner assaulted with farsa on her head, thereafter co accused Rajendra Yadav put rope around the neck of the informant's wife and pulled it when the

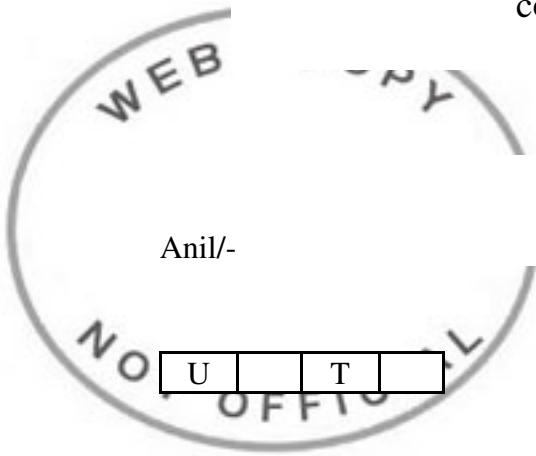


other family members rushed to rescue then they were also assaulted and co accused Santosh Yadav assaulted with farsa on the head of the sister of the informant. It is further alleged that accused persons took away the box containing jewellery, cash and other articles worth rupees fifty thousand.

It is submitted by the learned counsel for the petitioner that there is no accusation of repeating the blow. The injury report of the informant's wife suggests lacerated injury on the head caused by hard and blunt substance whereas the petitioner is alleged to have caused injury by sharp cutting weapon. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the fact that the accusation is not being corroborated with the medical opinion, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve 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 learned ACJM, Benipur, Darbhanga in connection

with Bahera P.S. Case No.412 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.



(Dinesh Kumar Singh, J)