

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.7991 of 2016

Arising Out of PS.Case No. -133 Year- 2014 Thana -GOPALGANJ CITY District- GOPALGANJ

Baliram Yadav @ Baliram Chaudhary Son of Late Mati Yadav, Resident of village- Dumariya, P.S.- Town Gopalganj, District- Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Ranjan, Advocate

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

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 11-05-2016 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Gopalganj (Town) P.S.Case No. 133 of 2014 registered for offences punishable under Sections 147, 148, 149, 323, 324, 307 and later on Section 302 of the I.P.C. has also been added

The prosecution case as per fardbeyan of the informant is that on 22.03.2014 at 4.00 A.M. the petitioner with other co-accused with various weapons came and assaulted Ramji Yadav (cousin brother of informant) by lathi and bamboo with intention to kill him whereas Baliram Yadav (petitioner) and Satyendra Yadav had thrown stones over the head of the informant for which the informant got injured and thereafter, accused persons snatched

gold chain from the possession of the informant and ultimately Ramji Yadav died due to injury in course of treatment at Gopalganj

It has been submitted by the learned counsel for the petitioner that the allegations upon the petitioner is general and omnibus and the injury caused by this petitioner on the informant Manoj Yadav @ Chandsi Yadav, has found to be simple in nature, caused by hard and blunt substance. He further submits that the petitioner has no criminal antecedent and no case under Section 307 or 302 is made out against him.

Learned counsel further submits that the petitioner along with co-accused Satyendra Yadav had hit the informant by brick. He further submits that there is land dispute between the petitioner's side and the informant side.

However, learned A.P.P. for the State submits that the petitioner is named in the First Information Report, although injury report at para-49 of the case diary specifies the injuries to be simple in nature, but, opposes the prayer for bail.

Be that as it may, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of eight weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two

sureties of like amount each to the satisfaction of learned Chief
Judicial Magistrate, Gopalganj, in connection with Gopalganj
(Town) P.S.Case No. 133 of 2014, subject to the conditions as laid
down under Section 438 (2) of the Cr. P.C.

(Nilu Agrawal, J)

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