

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36587 of 2016

Arising Out of PS.Case No. -41 Year- 2016 Thana -SONO District- JAMUI

Heman Yadav, son of Sri Govardhan Yadav, resident of Village- Bogaiya,
P.S- Charkapathar (Sono), District- Jamui.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 16-09-2016 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Sono (Charkapathar) P.S. Case No.41 of 2016 registered under
Sections 341, 323, 379, 307 and 504/34 of the Indian Penal Code.

The allegation of the informant is that her husband had
purchased the land beside the house about 20 years ago, which is
in her possession, and on the said land, her husband got a temple
of Hanumanji constructed. On 25.03.2016 at about 07.00 A.M. in
the morning, the informant was offering Puja in the temple. At
that time, her villagers, namely, Heman Yadav (petitioner) and
Govardhan Yadav armed with Khanti and rod came and started to



abuse and asked the informant why she has come on this land and told that this is their land. When the informant made protest, the petitioner assaulted the informant with Khanti causing blood oozing injury on her head. At that time, the co-accused Govardhan Yadav started to assault the informant with rod due to which she fell down. When Baleshwar Yadav, the husband of the informant, came to save her, at that time, the co-accused Bhim Yadav, Bablu Yadav, Anjani Devi and Rinku Devi, came there and all started to assault them with fists and slaps and the co-accused Rinku Devi snatched the ear ring of the informant and the co-accused Anjani Devi caught hold her. Thereafter, all the accused gave threatening to kill all of them, if they will come on the said land.

Learned counsel appearing on behalf of the petitioner submits that, in fact, on account of making platform (Chabutra) on the land of the petitioner by the husband of the informant and making protest by the petitioner and his family members, the occurrence of “Maar-Peet” took place in which the petitioner’s side also sustained injuries but with an ulterior motive, the present case has been lodged by the informant. Moreover, the injuries, as found on the person of the informant, are simple in nature.

Having considered the facts and the circumstances of the

case, let the petitioner, above named, in the event of his arrest or
surrender by him within six weeks from today, be enlarged on bail
on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand)
with two sureties of the like amount each to the satisfaction of the
C.J.M., Jamui, in connection with Sono P.S. Case No.41 of 2016,
subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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