

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51874 of 2016

Arising Out of PS.Case No. -86 Year- 2016 Thana -HASANPUR District- SAMASTIPUR

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Naresh Yadav @ Ram Naresh Yadav son of Baidyanath Yadav resident of
village - Godah, P.S. - Hasanpur, District - Samastipur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ranjit Kumar Yadav, Advocate.

For the Opposite Party : Mr. Uday Chand Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-12-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Hasanpur P.S. Case No. 86 of 2016 for the offences instituted
under Sections 147, 148, 149, 342, 323, 324, 325, 332, 307, 186,
504 and 506 of the IPC.

The prosecution story, in brief, is that on 13.04.2010, a
motorcyclist died after road accident of passenger vehicle. The
people assaulted the driver of the vehicle and tried to set the
vehicle on fire. The informant came and rescued the driver and
sent him to the hospital for treatment. In the meantime, two
persons tried to set the vehicle on fire and when the informant
tried to stop then co-accused directed the several persons to set the
vehicle on fire and co-accused Raj Kumar Yadav caught the color



of the informant and threat him and abused. The petitioner assaulted with piece of glass on his head as a result of which, his palm was cut and other arm forces also received injury.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. General and omnibus allegation has been made against the petitioner. No specific injury has been attributed against him. The nature of injury is simple. Hence, no offence under Section 307 IPC is made out.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Hasanpur P.S. Case No. 86/2016 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-III, Rosera, Samastipur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

