

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22964 of 2016

Arising Out of PS.Case No. -15 Year- 2016 Thana -CHANAN District- LAKHISARAI

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1. Ganesh Yadav Son of Baiju Yadav, Resident of Village- Singhachak,
P.S.- Chanan, District- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ambika Bhagat

For the Opposite Party/s : Mr. Pradeep Narain Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 23-05-2016 Heard learned counsels for the petitioner and the

State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341,323,448,504 and 307/34 of the Indian Penal Code.

The prosecution case is that on 18.1.2016 at 10.30 A.M. the informant along with her husband were inside their room when suddenly the petitioner and co accused Arjun Yadav armed with sword and farsa entered into the room and asked to execute sale deed. On protest being made by the husband of the informant, on the order of petitioner, co accused Arjun Yadav assaulted with sword on the head of the informant though he sustained injury on hand. Thereafter, the petitioner assaulted the

informant's husband with sword on head but again he received injury on another hand.

It is submitted by the learned counsel for the petitioner that the petitioner and the husband of the informant are own brothers. In the background of land dispute the accusation has been levelled. The petitioner is alleged to have caused injury to the informant's husband with farsa but the injury report suggests that two lacerated wounds have been found on the hands of the husband of the informant. Grievous injury has been found being fracture on left ulna but the said injury has been found to have been caused by hard and blunt substance. It is further submitted that the FIR does not suggest that which accused made assault on which hand. The petitioner is alleged to have made assault with farsa but the injury report suggests that the injury has been caused by hard and blunt substance.

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 CJM, Lakhisarai in connection with
Chanan P.S. Case No. 15 of 2016 subject to the conditions as
laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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