

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35061 of 2017

Arising Out of PS.Case No. -28 Year- 2017 Thana -NAUTAN District- SIWAN

=====

1. Mantu Yadav s/o Krishna Yadav@ Krishnanand Choudhary resident of
Village - Basdewa, P.S. - Nautan, District - Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Dubey,
For the Opposite Party/s : Mr. Sri S. Ehteshamuddin

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 23-08-2017 Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner is languishing in judicial custody since
17.04.2017 in connection with Nautan P.S. Case No. 28 of 2017
for offences punishable under Sections 307, 379 and 452 of the
Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while she and her daughter-in-law were sleeping in the
house, she heard a sound of breaking of lock and found the
petitioner breaking the lock of the box. Thereafter, petitioner
assaulted the informant by means of knife on her abdomen which
hit on her thigh and he fled away with VIP box containing



ornaments and cash of Rs. 7,000/-

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case due to personal enmity. He submits that charge-sheet has already been submitted and there is no allegation of tampering of prosecution witnesses by the petitioner and simple injury has been found on the informant which is not on the vital part of the body.

However, learned counsel for the informant opposes the prayer of bail stating therein that the petitioner has been identified by the victim-informant and the informant was intended to be hit on the abdomen but it hit her thigh. He also submits that petitioner does not have clean antecedent and one more case is pending against him.

Learned APP also opposes the prayer of bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail **after completion of six months custody** on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like



amount each to the satisfaction of learned Additional Chief
Judicial Magistrate XII, Siwan in connection with Nautan P.S. Case
No. 28 of 2017, subject to the condition that one of the bailors
would be a close relative of the petitioner.

(Nilu Agrawal, J)

sushma/-

U		T	
---	--	---	--

