

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4155 of 2017

Arising Out of PS.Case No. -165 Year- 2016 Thana -PANDAU District- MADHUBANI

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1. Ramashankar Yadav Son of Ram Prakash Yadav, Resident of Village-
Boturi, P.S. Pandaul, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Pranav Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 17-02-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Pandaul Police Station Case No. 165 of 2016, disclosing
offences under Sections 147, 148, 149, 323, 341, 324 and 307 of
the Indian Penal Code.

Accusation is of assault and caused injury to the
brother of the informant on the head by Garasa.

Learned counsel for the petitioner has submitted that
the entire prosecution case has been lodged after lodging of the
case by the petitioner side against the informant and others.
There is a land dispute between the parties for which altercation
took place and both the parties have sustained injuries.
Resultantly, a case and counter case have been lodged by both
the sides. In this case, the injury caused on the head of brother



of the informant appears to be simple in nature caused by incised weapon, which is evident from Annexuer-3 of this petition. Further, no specific allegation is attracted against this petitioner as altogether eleven persons have been named in the F.I.R. Moreover, co-accused, Shiv Narayan Yadav @ Laddu Yadav @ Survy Narayan Yadav, having similar allegation, has already been granted anticipatory bail by a co-ordinate Bench of this Court in Cr. Misc. No. 49689 of 2016. Hence, the petitioner also deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhubani, in connection with Pandaul Police Station Case No. 165 of 2013, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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