

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47156 of 2016

Arising Out of PS.Case No. -135 Year- 2015 Thana -NIMCHAKBATHANI District- GAYA

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Satish Yadav, Son of Baldeo Yadav, Resident of Village- Bahorma Tola
Mewa Bigha, Police Station- Nimchak, Bathani, District- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Yadav

For the Opposite Party/s : Smt. Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

5 25-01-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Nimchak Bathani P.S. Case no.135 of 2015, registered under Sections
147, 148, 149, 447, 323, 307, 325 and 379 of Indian Penal Code.

The accusation is that eight persons named in the F.I.R.,
including the petitioner, variously armed with weapons came to the
informant and started to uproot the Mango tree and other plants. When
informant made protest then Baldeo caused injury through iron rod at
the head of the informant. The petitioner and one Santosh also caused
injury to the petitioner through butt of the pistol. It is further alleged
that petitioner and Santosh also caused injury to Kali Charan Prasad,
father of the informant, and Kalesar Devi, mother of the informant.

Learned counsel for the petitioner submits that, in fact,



occurrence took place due to land dispute in which Baldeo Yadav, Satish Yadav (Petitioner) and Santosh Yadav also sustained injury regarding which Nimchak Bathani P.S. Case No. 134 of 2015, under Section 147, 148, 149, 447, 504, 506, 323, 379 and 307 of I.P.C. was also instituted on the basis of the written report of co-accused Baldeo Yadav against informant and others of the present case. Moreover, the injuries as found on the person of Kali Charan Yadav and Kaleshwari Devi, father and mother of the informant, are of simple in injury and only one injury i.e. abrasion was found on the shoulder of the informant.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four 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 the ACJM-X, Gaya in connection with Nimchak Bathani P.S. Case No. 135 of 2015, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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