

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9159 of 2017

Arising Out of PS.Case No. -52 Year- 2016 Thana -ROUH District- NAWADA

=====

1. Mahendra Yadav Son of Bangali Yadav Resident of Village : Bhandajor,
P.S.: - Roh, District - Nawada.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Mr. Sri Dashrath Mehta

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 20-04-2017 Heard learned counsel for the petitioner, and the

learned counsel representing the State.

The petitioner apprehends his arrest in connection
with Roh P.S Case No. 52 of 2016 registered for the offences
punishable under Sections 341, 323, 307, 354 and 504/34 of the
Indian Penal Code.

Allegedly, the petitioner and other co-accused were
assaulting the son and daughter-in-laws of the informant. Co-
accused Dilip Yadav assaulted Sarita Devi with *Lathi* on her head
and the petitioner assaulted Rekha Devi with *Lathi* and *Danda* on
her waist causing injury.

Submission is of false implication and that there is
case and counter case, both side have received injuries. There was



free fight between the parties and there was no intention to commit murder. Occurrence took place at the spur of the moment. There is no allegation that petitioner has repeated the blow and, as such, the petitioner deserves sympathetic consideration.

Learned A.P.P. opposes the prayer of pre-arrest bail.

In the facts and circumstances stated above, considering that there is no allegation for repeating the blow and also the opinion of kind of injury was kept reserve and, as such, the petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of the order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Nawada in connection with Roh P.S. Case No. 52 of 2016 subject to the conditions as laid down in Section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

sushma/-

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

