

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 21769 of 2017

Arising Out of PS.Case No. -351 Year- 2016 Thana -WAJIRGANJ District- GAYA

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Bale Yadav, Son of Rajdeo Yadav, Resident of Village- Akamba, P.S.
Wazirganj, 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 : Dr. Indihar Kumari

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 01-07-2017 Heard Sri Sunil Kumar Yadav, learned counsel for the
petitioner and Dr. Indihar Kumari, learned Addl. Public
Prosecutor.

The sole petitioner, apprehending his arrest in
Wazirganj P.S. Case No. 351 of 2016 registered for offence under
Sections 341, 323, 325, 307, 379, 504, 506/34 of the Indian Penal
Code and Section 27 of the Arms Act, 1959, has prayed for grant
of bail in the event of his arrest or surrender.

It was submitted by learned counsel for the petitioner
that with a view to create a defence, the informant of the present
case has lodged the F.I.R. alleging therein that petitioner had given
garasa blow on the head of the informant of the present case
(Azad Yadav). He submits that petitioner is the informant in
Wazirganj P.S. Case No. 350 of 2016, in which, he had received
serious injuries on his head by the *garasa*. He further submits that



some of the persons, who were made accused in his F.I.R. i.e. Wazirganj P.S. Case No. 350 of 2016, have already been extended the privilege of anticipatory bail. He further submits that even in the present case, in which the petitioner has been made accused, during investigation, superficial injuries were found on the person of the injured. He has further argued that there was admitted land dispute in between the parties and petitioner is having clean antecedent.

Considering the fact that there was case & counter case and the fact that injury caused by the petitioner is simple in nature, there is no reason to refuse the prayer for grant of anticipatory bail.

Accordingly, in the event of arrest or surrender within a period of six weeks from today, let the petitioner namely Bale Yadav be enlarged 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 A.C.J.M. 1st Gaya in connection with Wazirganj P.S. Case No. 351 of 2016, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rakesh Kumar, J.)

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