

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61485 of 2017

Arising Out of PS. Case No.-757 Year-2017 Thana- KHAGARIA District- Khagaria

Prabhashankar Yadav @ Munna Yadav, Son of Kailash Prasad Yadav,
Resident of Village- Jaiprakash Nagar, Ward No. 21, Police Station-Khagaria,
District-Khagaria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Adv.

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-12-2017 Heard learned counsels for the petitioner and State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 354D and 307/34 of the IPC and Section 27 of the Arms Act.

The prosecution case is that the petitioner and his son Tanuj Kumar @ Bablu assaulted the informant with bricks causing fracture injury on the chest of the informant and when younger brother of the informant, namely, Shambhu Kumar Sinha came to his rescue, then on the order of this petitioner, co-accused Tanuj Kumar @ Bablu knocked him down on the ground and thereafter, the petitioner and other accused persons tried to strangulate him by putting rope around his neck. The accused persons, thereafter, entered into the house of the



informant and assaulted the wife of the informant and partially disrobed.

It is submitted by learned counsel for the petitioner that in the background of land dispute, the accusation has been levelled. There is counter version of the occurrence also, being Khagaria P.S. Case No. 758 of 2017, registered for the offences punishable under Section 307 IPC.

It is further submitted that injuries of the informant and his brother have been found to be superficial simple in nature and petitioner's side also received injuries. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that accusation of assault has been levelled against the petitioner.

Considering the fact that the accusation has been levelled in the background of land dispute, there is counter version of the occurrence also and petitioner's side also received injuries, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial



Magistrate, Khagaria in connection with Khagaria P.S. Case No.
757 of 2017, subject to the condition as laid down under Section
438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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