

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14634 of 2017

Arising Out of PS.Case No. -309 Year- 2016 Thana -BIHARSHARIF District- NALANDA
(BIHARSHARIFF)

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Vijay Yadav @ Vinay Yadav, son of Late Sri Chand Yadav a resident of
mohalla - Khanchi Gali, Police Station - Bihar, District - Nalanda.

... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar

For the Opposite Party/s : Smt. Pronati Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

4 15-06-2017 Heard learned counsels for the petitioner and the

State.

The petitioner apprehends his arrest in connection
with Bihar P. S. Case No. 309 of 2016 instituted under Sections
147, 148, 149, 307, 316, 323, 325, 341, 379, 354B, 427 and 504 of
the Indian Penal Code.

The allegation, in brief, is that when the informant
was constructing boundary wall over the land, the accused persons
came variously armed with *lathi*, hockey stick etc., started
assaulting informant and others and demolished boundary wall
and Vijay Yadav (petitioner) undressed himself before family
members and abused them and Kundan Kumar and Gopal Sharan
Yadav assaulted informant's wife who is a pregnant lady. The
specific allegation of this petitioner is that he assaulted Rikky



Kumari.

Learned counsel for the petitioner submits that there is a case and counter case between both sides and in fact the petitioner had objected construction of boundary wall as the informant was encroaching the temple's lands and there is no allegation of assault to a pregnant lady against this petitioner and the only allegation is of assaulting Rikky Kumari but the alleged injury is simple in nature and it has been falsely alleged that the petitioner undressed himself before a large number of people.

Having considered the aforesaid facts and circumstances, let the petitioner, namely, Vijay Yadav @ Vinay Yadav, in the event of arrest or surrender before the court below within four weeks from today, be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bihar Sharif at Nalanda in connection with Bihar P.S. Case No. 309 of 2016; subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Arun Kumar, J)

Sujit/-

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