

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30721 of 2018

Arising Out of PS.Case No. -140 Year- 2017 Thana -HULASGANJ District- JEHANABAD

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Rajendra Yadav @ Rajendra Prasad Son of Madhu Yadav resident of
Village - Jaguabigha, Police Station - Hulasganj in the district of Jehanabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Navin Sharma

For the Opposite Party/s : Mr. Sri Parmanand Prasad

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

02/ 18-05-2018

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a
case registered for the offences punishable under Sections 341,
323, 325, 307, 504 and 506/34 of the Indian Penal Code.

The prosecution case as per the written report
of Laleshwar Prasad Yadav dated 03.12.2017 submitted to the
Station House Officer, Hulasganj P.S. is to the effect that on
02.12.2017 at 12.00 Noon the informant had gone to his field, in
the meantime, all the FIR named accused persons including the
petitioners came variously armed and there was some altercation
between the parties. It is alleged that on the order of co-accused
Ram Nandan Yadav, the accused persons surrounded the



informant and petitioner Rajendra Yadav assaulted with iron rod on the head of the informant causing cut injury, co-accused Amlesh Yadav assaulted with brick on the knee of the informant, co-accused Kamlesh Yadav assaulted with lathi on his neck and while co-accused Madhu Yadav assaulted with lathi on the back of the informant. On alarm being raised, when the son of the informant Vijay Kumar came to rescue then he was also assaulted by accused persons with lathi and iron rod.

It is submitted by learned counsel for the petitioner that in the background of share dispute, the accusation has been levelled and for the occurrence of 02.12.2017 at 12.00 Noon the FIR has been registered on 03.12.2017 at 11.00 A.M. The injury has been found to be simple and a statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP, however, submits that the petitioner is named in the FIR.

Considering the fact that the accusation has been levelled in the background of share dispute and injury has been found to be simple in nature coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on



anticipatory bail in the event of arrest or 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 the like amount each to the satisfaction of learned Sub-Judge-IV, Jehanabad in connection with Hulasganj P.S. Case No. 140 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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