

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27915 of 2018

Arising Out of PS. Case No.-6 Year-2018 Thana- KEOTI District- Darbhanga

Pragas Yadav, Son of Late Ram Awatar Yadav, Resident of Village-
Dhobgama, P.S.-Keoti, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Iqbal Asif Niazi, Advocate

For the Opposite Party/s : Smt. Renu Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 16-05-2018 Heard Mr. Iqbal Asif Niazi, learned counsel for the
petitioner, Smt. Renu Kumari, learned Additional Public
Prosecutor as well as learned counsel for informant.

The sole petitioner, apprehending his arrest in
connection with Keoti P.S. Case No. 06 of 2018 , registered for
the offence under Sections 147, 148, 149, 341, 323, 324, 307,
379 & 504 of the Indian Penal Code, 1860 (hereinafter referred
to as the “I.P.C.”), has prayed for grant of bail in the event of
his arrest or surrender.

Learned counsel for the petitioner submits that of-
course in the F.I.R. it was alleged as if petitioner had given iron
rod blow on wife of informant, during medical examination no



injury was found on vital portion of the injured and all the injuries were found simple in nature. He further submits that informant of the present case is own brother of petitioner and there was dispute in relation to 'passage' in between the parties. From the petitioner's side also a counter case has been filed and copy of complaint petition has been brought on record as Annexure -'2' to the petition. Learned counsel for petitioner further submits that in view of injury, which was not on vital part, certainly, in this case, there is no reason for application of Section 307 of the I.P.C., otherwise, most of the Sections, which have been incorporated in the F.I.R. are bailable, save and except, some other Sections.

Learned counsel for informant has vehemently opposed the prayer on the plea that there is specific accusation against the petitioner.

Considering the nature of accusation, the fact that petitioner and informant both are full brother and there was case and counter case in between the parties, in the event of his arrest or surrender within a period of six weeks from today, let the sole petitioner namely, Pragas 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. – VII, Darbhanga / concerned court in connection
with Keoti P.S. Case No. 06 of 2018 subject to the conditions as
contemplated under Section 438(2) of the Cr.P.C.

(Rakesh Kumar, J)

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