

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45814 of 2018

Arising Out of PS. Case No.-133 Year-2018 Thana- DUMRAO District- Buxar

Raju Yadav S/o Sahdev Yadav, R/o Vill.- Pidiya, P.S.- Dumraon, Distt.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Birendra Kumar Singh
For the Opposite Party/s	:	Mr. Rajendra Singh Shastriji
For the Informant	:	Mr. Nikesh Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 12-10-2018 Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the informant.

A supplementary affidavit has been filed on behalf of the petitioner which is kept on record.

Counsel for the petitioner is permitted to make necessary correction in paragraph 3 of the main application in view of the statement made in in supplementary affidavit in course of the day.

The petitioner is apprehending his arrest in a case registered under Sections 341, 323, 324, 504, 506, 354(B), 337, 34 of the Indian Penal Code in which section 307 IPC was added later.

The prosecution case, in short, is that on the eve of the marriage of daughter of the informant, the accused persons assaulted the informant and his family due to which nephew of the informant sustained injury. Other members of the family were also assaulted.



It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. There is a case and counter case between the parties. The nature of injury is said to be simple. Hence, no offence under Section 307 IPC is made out. Rest of the offences are triable by the Magistrate.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Dumraon P.S. Case No. 133 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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