

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60349 of 2018

Arising Out of PS. Case No.-171 Year-2017 Thana- BABUBARHI District- Madhubani

Debu Yadav S/o Jokhan Yadav, resident of village-Sonamati, P.S.- Babubarhi,
Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Soban Asghar, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 11-12-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks pre-arrest bail in connection with
Babubarahi P.S. Case No.171 of 2017 registered under Sections
147, 323, 504 and 379 of the Indian Penal Code.

It is submitted by the learned counsel for the
petitioner that save and except Section 379 of the Indian Penal
Code all other Sections are bailable in nature. It is further
contended that co-accused Bihari Yadav having identical
allegation has already been granted pre-arrest bail by a Bench of
this Court vide order dated 09.08.2018 passed in Cr. Misc.
No.39629 of 2018.

Per contra, learned counsel appearing for the State
submitted that though the first information report was instituted



under Sections 147, 323, 504 and 379 of the Indian Penal Code, in course of investigation the case was found true under Sections 325 and 307 of the Indian Penal Code also. He contended that the injured Saryug Yadav had sustained one grievous injury. In reply, learned counsel for the petitioner submitted though allegation in the first information report is omnibus and general against altogether eight accused persons, only one grievous injury and that too on a non-vital part of the body of the injured Saryug Yadav was found.

Having regard to the submissions made above, in the event of arrest or surrender before the court below within six weeks from today, the petitioner is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-II, Madhubani in connection with Babubarahi P.S. Case No.171 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Md. S/-

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