

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4935 of 2018

Arising Out of PS. Case No.-101 Year-2017 Thana- SAHEBPUR KAMAL District-
Begusarai

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Pawan Yadav S/o Bindeshwari Yadav, R/o Vill.- Kharhat, P.S.- Sahebpur
Kamal , District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey
For the Opposite Party/s : Mr. Kalyan Shankar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

7 03-12-2018 Supplementary affidavit is filed on behalf of the petitioner. Let
it be kept on record.

Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner is apprehending his arrest in a case registered
under Sections 323, 341, 307, 379 and 504/34 of the Indian Penal
Code.

The prosecution case, in brief, is that while the informant with
his father went to cut the wheat crop, the accused persons came there
and accused persons after creating dispute, assaulted them.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The petitioner
has been falsely implicated in the present case. The allegation against



the petitioner is of assaulting with butt of the gun. The fire arms has not been used in course of the occurrence. This is sufficient to indicate that the petitioner had no intention to commit the murder. At best, it is a case for the offence under Section-325 of the IPC. The matter has already been compromised between the parties vide Annexure-4 to the supplementary affidavit.

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

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) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-V, Begusarai in connection with Sahebpur Kamal P.S. Case No. 101 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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