

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69191 of 2018

Arising Out of PS. Case No.-46 Year-2017 Thana- AMAS District- Gaya

Shree Yadav Son of Badari Yadav, resident of Village- Kusha, P.S. Amas,
District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Javed Jafar Khan

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 18-12-2018 Heard the learned counsel for the petitioner and

the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Amas P. S. Case No. 46 of 2017
dated 04.03.2017 instituted for the offences under Sections
147, 323, 341, 325 and 307 of the Indian Penal Code.

The petitioner and others are alleged to have
assaulted the informant by means of hard and blunt
substance.

Learned counsel for the petitioner has argued that
the petitioner and others have been falsely implicated for the
reasons that earlier one of the accused persons namely



Sanket Yadav had filed a case against the informant of the present case vide Amas P. S. Case No. 41 of 2017 under Section 302/34 of the I.P.C. for having killed his father, Lakku Yadav. It is because of the aforesaid case lodged by a co-accused person that such false allegation has been levelled against the petitioner and others.

In support of the aforesaid contention of the petitioner regarding false implication, it has further been submitted that the informant has compounded the offence with respect to the other accused persons and on the basis of such settlement, some of the other accused persons have been granted anticipatory bail by the court below. A photocopy of the certified copy of the order granting bail to some of the accused persons on the strength of settlement having been arrived at between them and the informant has been annexed as Annexure- 2 to this petition.

Regard being had to the aforesaid facts and there being nothing on record to indicate that the injuries caused by the petitioner on the informant is grievous and also taking into account that the petitioner does not have criminal



antecedents, he is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Sherghat at Gaya in connection with Amas P. S. Case No. 46 of 2017, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

(Ashutosh Kumar, J)

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