

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.64392 of 2018

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Manejar Yadav @ Manager Yadav @ Mainekar Chaudhary, Son of Harangi Yadav, Resident of Village- Mahanthwan, P.S.- Kateya, District- Gopalganj.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Kumar Pandey No. 5,
Advocate.

For the Opposite Party : Mr. Jitendra Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-10-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 147, 148, 149, 341, 323, 324, 427 and 307 of the IPC.

The prosecution story, in brief, is that on the alleged date and time of occurrence, the informant Binda Devi alongwith her three daughters and her daughter-in-law was sitting at her door. In the meantime, petitioner in association with co-accused persons having armed with *Lathi*, *rod*, *Farsa* and *Kulhari* came there and asked to whom she has given vote and when she made protest of it, then they started assaulting her, his daughter-in-law



and daughters and also damaged the main door of the house.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. It is case and counter case between the parties. After investigation, the police has submitted final form. Later on, learned court below has differed with the final form and taken cognizance for an offence under Section 307 of the IPC. Nature of injury is said to be simple. Hence, no offence under Section 307 of the IPC is made out. Rests of offences are triable by the Magistrate.

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 or 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 the learned J.M. Ist Class, Gopalganj or his Successors in Office, in connection with Kateya P.S. Case No. 113/2016 (G.R. No. 1302 of 2016), subject to the conditions as



laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

