

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16882 of 2018

Arising Out of PS. Case No.-103 Year-2017 Thana- KOTWA District- East Champaran

Birendra Yadav, Son of Wakil Rai, Resident of Village- Kalayanpur, Vrita,
P.S.- Kotwa, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Smt. Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

4 15-05-2018 Heard learned counsels for the petitioner and the State.

The petitioner, in custody since 16.08.2017, seeks bail in connection with Kotwa P.S.Case No. 103 of 2017 registered under Sections 147, 148, 149, 302, 307, 323, 324, 448 and 501 of the Indian penal Code.

Allegation in brief is that due to land dispute, accused persons assaulted the informant's father and specific allegation against the petitioner is that he gave *Farsa* blow over his head and second blow hit the left hand.

Submission is that there is allegation against all the accused persons of assaulting the deceased by iron rod and *lathi* and two ante-mortem injuries were found on the person of the deceased caused by hard and blunt substance and not by heavy sharp cutting weapon.

Whereas learned counsel for the informant opposes the



prayer of bail and submits that there is repetition of blow by *Farsa* and injury may have been caused by blunt portion of the *Farsa*.

Having considered the allegation that all accused persons assaulted the deceased and specific allegation of petitioner of giving *Farsa* blow and injury found on the person of the deceased is not by sharp cutting weapon but by hard blunt object, so the petitioner, namely , Birendra Yadav, is directed to be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned CJM, East Champaran at Motihari in connection with Kotwa P.S. Case No. 103 of 2017.

(Arun Kumar, J)

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