

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15382 of 2019**

Arising Out of PS. Case No.-447 Year-2018 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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CHANDI YADAV, son of Narsingh Yadav, R/o Village-Sikandarpur
(Rajaura), P.S. -Muffasil, District -Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Randhir Kumar No.1, Adv.

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta, APP

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 13-03-2019 Heard learned counsel for the petitioner and learned APP
for the State.

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

The prosecution case got initiated on the basis of written
report of Pradhuman Rai submitted to the Station House Officer,
Begusarai Muffasil Police Station is to the effect that on
2/3.08.2018 at about 2.00 A.M., the informant was serving food
to the guests in the marriage ceremony of the daughter of his
neighbour, namely Lalo Mahto. In the meantime, the petitioner
Chandi Yadav and co-accused Amarjeet Kumar along with 4-5
unknown came while covering their faces with towels and made



objection for serving food in the marriage ceremony, the informant for dining the procession. On protest being made, the petitioner Chandi Yadav and co-accused Amarjeet Kumar assaulted the informant with lathi. It is alleged that co-accused Amarjeet Yadav assaulted on the head of the informant with the butt of the pistol and dragged him on the road and in that course, he also took away Rs.5000/- from the pocket of the informant.

It is submitted by learned counsel for the petitioner that petitioner and co-accused Amarjeet Yadav are alleged to have assaulted the informant with lathi and butt of the pistol, but only two injuries have been found on the body of the informant, i.e., bruise over left side of the back and a abrasion. The nature of injury has been found simple in nature caused by hard and blunt substance. It is further submitted that the specific accusation of assaulting the informant with butt of the pistol and snatching Rs.5000/- from his pocket is against co-accused Amarjeet Yadav. It is further submitted that the petitioner is accused in one other case, apart from the present one, but he is on bail in that case.

It is submitted by learned APP for the State that the petitioner is named in the FIR.

Considering the nature of causation and the injury



being caused to the informant which does not suggest that the petitioner had any intention to kill the informant, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Begusarai in connection with Begusarai Muffasil P.S. Case No.447 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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