

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14858 of 2019

Arising Out of PS. Case No.-203 Year-2017 Thana- MANIGACHI District- Darbhanga

VISHNUDEO YADAV, aged about 40 years, (Male), Son of Late Malik
Yadav, Resident of Village- Bahuarwa, P.S.- Manigachi, District- Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Md. Shahnawaz Ali, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 23-07-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
06.06.2018 in a case for the offence registered under Sections
341,323, 324, 307 and 504 of the IPC.

The prosecution story, in brief, is that the son of the
informant, namely, Mukesh Kumar was running Common
Service Centre in the village. On 27.09.2017 at about 4.00 P.M.,
his son was at shop where petitioner arrived and asked him to
give Pan Card, whereupon his son told that Pan Card will be
made available through registered post which caused annoyance
to the petitioner. It is further alleged that petitioner assaulted his
son with fists and slaps and took out knife from the pocket and
stabbed in his head and hand, as a result of which, he became



badly injured and seeing such situation his another son Rajesh Kumar Mishra rushed there, whereupon petitioner stabbed knife on his stomach. Both the injured persons brought to D.M.C.H. for treatment.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. As per the F.I.R., petitioner is said to have assaulted Mukesh Kumar Mishra and Rakesh Kumar Mishra. As per injury report of Mukesh Kumar Mishra, nature of weapon is said to be hard and blunt substance and the injury is simple. As far as injury report of Rakesh Kumar Mishra is concerned, nature of weapon is said to be blunt pointed weapon and the nature of injury is grievous. As per the allegation, both persons are said to have been assaulted by the petitioner by knife. The injury report does not support the allegation made in the F.I.R. The petitioner has remained in custody for more than one year.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let



the petitioner above named, be released on 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 Sessions Judge, Darbhanga, in connection with Sessions Trial No. 487 of 2018, arising out of Manigachhi P.S. Case No. 203 of 2017.

(Sudhir Singh, J)

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