

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15801 of 2019**

Arising Out of PS. Case No.-92 Year-2015 Thana- DULHIN BAZAR District- Patna

Sanjay Yadav Son of Late Munesh Yadav Resident of Village- Nawada, P.S-
Dulhin Bazar, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kunwar Digvijay Singh
For the Opposite Party/s : Mr.Indra Kumar Singh

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

2 14-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 03.01.2019 in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 379, 307, 504 and 506 of the Indian Penal Code.

The prosecution case got initiated on the basis of written report of Arvind Yadav submitted to the Station House Officer, Dulhin Bazar Police Station is to the effect on 22.07.2015 at 7.00 P.M., Sanjay Yadav, the petitioner came to the informant and asked for paddy seeds. On refusal by the informant, the petitioner assaulted the informant with a 'garasa' causing head injury to him, in the meantime, other accused persons started assaulting the family members of the



informant. It is further alleged that in course of assault the accused persons took away a gold chain from one of the family members of the informant and Rs.500/--Rs.600/- from the pocket of the informant. It is also alleged that due to assault made by the accused persons, the leg and hand of the brothers of the informant namely Kamlesh Yadav and Vimal Yadav got fractured.

It is submitted by learned counsel for the petitioner that in the background of land dispute, the accusation has been levelled. A statement has been made in paragraph no.6 of the petition that the injury has been found simple, which also gets corroborated from paragraph no.43 of the case diary. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that there is specific accusation of assault against the petitioner.

Considering the fact that though the petitioner is alleged to have assaulted the informant with a 'garasa', but no grievous injury has been caused to him, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail, on furnishing bail bond



of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-II, Danapur, Patna in connection with Dulhin Bazar P.S. Case No. 92 of 2015.

(Dinesh Kumar Singh, J)

Ashwini/-

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