

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28950 of 2019**

Arising Out of PS. Case No.-3 Year-2019 Thana- GAUNAHA District- West Champaran

SHESHNATH YADAV Son of Bindeshwari Yadav, Resident of Village-
Parsa,P.S.-Gaunaha, District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Rajesh Kumar

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 06-05-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered under Sections 341, 323, 324, 307 and 379/34 of the Indian Penal Code.

Petitioner along with four other accused persons are said to have assaulted the informant on the way to his house. Petitioner assaulted on the head of the informant by means of farsa and snatched his cash to the tune of Rs.70000/- and bicycle.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. Petitioner has been falsely implicated in the case merely because brother of the co-accused has lodged Gaunaha P.S. Case No. 133 of



2018 against the informant. Though the petitioner is said to have assaulted on the head of the informant by means of farsa, but the impugned order itself indicates that the informant has sustained simple injury on his head and that too by hard and blunt substance and not by sharp cutting weapon. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. No incriminating article has been recovered from the conscious physical possession of the petitioner. Petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four 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 C.J.M., Bettiah, West Champaran in connection with Gaunaha P.S. Case No. 03 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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