

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.31307 of 2019**

Arising Out of PS. Case No.-192 Year-2018 Thana- MANJHAGARH District- Gopalganj

JAWAHIR YADAV, aged about 50 years, Male, Son of Sukai Yadav Resident  
of Village- Maghi Nimuiya, P.S.- Manjhagarh, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sanjay Kumar Pandey No.5

For the Opposite Party/s : Mr.Atul Chandra

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

2      13-05-2019                      Heard both sides.

The petitioner apprehends his arrest in Manjhagarh P.S. Case No.192 of 2018 registered under Sections 147, 148, 149, 341, 323, 324, 307, 302 and 504 of the Indian Penal Code.

The informant named 14 persons including the petitioner and alleged that they all having armed with different weapons came. On the order of Wakil Yadav, Awadh Yadav assaulted Ojha Choudhary with spear on his abdomen. When Ojha Choudhary fell down, Nanhe Yadav is alleged to have assaulted Ojha Choudhary on his head with farsa.

The learned counsel for the petitioner submits that Wakil Yadav, Deepak Yadav and Faudi Yadav have already been granted anticipatory bail by different benches of this Court in Cr. Misc. No.71087 of 2018, Cr. Misc No.79501 of 2018 and Cr.



Misc. No.74230 of 2018. The case of the petitioner stands on the same footing. It is submitted that from the post-mortem report, it would appear that from the body of the deceased there was only two injuries, one on abdomen and another on head. The injury found on abdomen is caused by Awadh Yadav who is alleged to have assaulted with spear on his abdomen and Nanhe Yadav is the author of the injury found on the head of the deceased.

Having considered the facts aforesaid and the submission made by the petitioner that the deceased on account of injury found on abdomen died and one injury was found on the head of the deceased. Except two injuries there is no other injury on the body of the deceased. Petitioner is of course named in the F.I.R. but no specific allegation of assault is made against the petitioner and the case of the petitioner stands on the similar footing as that of Wakil Yadav and others who have already granted anticipatory bail.

Taking into consideration the facts aforesaid, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned



Chief Judicial Magistrate, Gopalganj in connection with  
Manjhagarh P.S. Case No.192 of 2018(GR No.2960 of 2018),  
subject to the conditions as laid down under Section 438(2) of  
the Code of Criminal Procedure.

**(Prabhat Kumar Jha, J)**

Saurabh/-

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