

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38379 of 2019

Arising Out of PS. Case No.-23 Year-2019 Thana- BAHADURPUR District- Darbhanga

BHUSHAN YADAV @ SHASHI BHUSHAN YADAV S/O Ram Sogarath
Yadav Resident of Village- Ghorghatta, P.S.- Bahadurpur (Fekla O.P.),
District- Darbhanga.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar
For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 29-07-2019 Supplementary affidavit has been filed on behalf of
the petitioner. Let it be kept on the record.

Heard learned counsel for the petitioner and the
State.

The petitioner seeks bail in **Bahadurpur (Fekla
O.P.) P.S. Case No. 23 of 2019**, instituted for the offence under
Section(s) 147, 148, 149, 323, 324, 325, 354, 353, 307, 386 and
504 of Indian Penal Code.

It is alleged in the written report that on the date of
occurrence, the petitioner and co-accused Abodh Yadav
assaulted Ram Chandra Yadav on his head and chest with
Khanti causing injury to him. It is further alleged that other co-
accused assaulted the family members of the informant.



Counsel for the petitioner submits that due to land dispute, there is case and counter case between the parties. The occurrence has taken place because petitioner raised objection with regard to construction of road by the informant on his private land, for which, counter case vide Bahadurpur (Fekla O.P.) P.S. Case No. 24 of 2019 has been instituted. The petitioner had sustained injury in that case, copy of which, has been enclosed as Annexure-4 series.

Case diary has been received.

Learned A.P.P. has submitted that injury report of Ram Chandra Yadav is available in the case diary wherein the Doctor has found one injury on scalp which was grievous in nature.

Counsel for the petitioner submits that aforesaid injury report is of private hospital. There is no specific allegation against the petitioner. He further submits that other co-accused have already been granted bail by this Court as well as coordinate Bench of this Court vide orders dated 2.5.2019 and 15.5.2019 passed in Cr. Misc. 28391 of 2019 and 32205 of 2019 respectively.

Petitioner is in custody since 24.4.2019 having clean antecedent.



Considering the aforesaid facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner above named, 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 **Sub Divisional Judicial Magistrate, Darbhanga**, in connection with **Bahadurpur (Fekla O.P.) P.S. Case No. 23 of 2019**, subject to the condition that both the bailors will be close relatives of the petitioner.

(Sanjay Priya, J)

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