

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45007 of 2019**

Arising Out of PS. Case No.-252 Year-2015 Thana- RAJAON District- Banka

GUDDU YADAV Son of Late Haldar Yadav Resident of Village-Jagdishpur
(Katiya), P.S-Rajoun, District-Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

4 21-10-2019 Petitioner seeks bail in anticipation of his arrest in connection with Rajoun P.S. Case No. 252 of 2015 registered for the offences punishable under Sections 341, 323, 307, 379, 504 and 34 of the Indian Penal Code.

As per FIR there is allegation against the petitioner that he assaulted the informant, causing injuries to him.

Submission of learned counsel for the petitioner is that earlier opinion on injury has not been given as such opinion on injury was called for by co-ordinate Bench of this Court by order dated 22.7.2019 and moreover he is given the benefit of Section 41(1) of Cr.P.C. and he has not misused the same.

Heard learned APP, who has shown the injury report in the case diary and that injury report does not have opinion so far injury no.1 is concerned and opinion on other injuries is



mentioned.

In view of above facts and circumstances, let petitioner surrender and pray for regular bail, which shall be considered on the basis of the fact that he has earlier been given the benefit of Section 41(1) of Cr.P.C. and he has not misused the same and disposed of, if possible, on the same day.

This application is, accordingly, disposed of.

(Vinod Kumar Sinha, J)

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