

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46974 of 2019

Arising Out of PS. Case No.-448 Year-2018 Thana- TRIVENIGANJ District- Supaul

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Agam Lal Yadav @ Agal Lal Yadav Son of Late Dashrath Yadav Resident of
Village- Mihnana, P.S.- Triveniganj, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 30-07-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner apprehend his arrest in connection with
Teriveniganj P.S. Case No. 448 of 2018 registered for the
offence under Sections 341, 342, 323, 324, 504, 354(B), 307
and 34 of the Indian Penal Code.

The allegation against the petitioner is that petitioner
along with other accused persons assaulted the husband of the
informant with Farsa, Bhala and Rod causing injury on his
head, neck and other places of the body.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case. Both the
parties belong to the same village and there is a land dispute
between them. He further submits that there is no specific



allegation against the petitioner rather only he is an order giver. He further submits that occurrence has allegedly taken place on 08.11.2018 but F.I.R. was lodged on 15.11.2018 and justification of the delay has been that the husband of the informant was being treated in Refral Hospital. Learned counsel relied upon Annexure-3 and submitted that police called requisition of injury report from Refral Hospital and from perusal of the same it is apparent that injury caused to the husband of the informant is of 05.11.2018 whereas the admitted case of the informant that the occurrence took place on 08.11.2018. He further submits that petitioner is 84 years old as his age has been disclosed as per his date of birth as mentioned in Addhar Card (Annexure-2) whereas his age in the first information report has been mentioned as 55 years old.

Having heard learned counsel for the petitioner and taking into consideration the fact that there is delay of about 8 days in lodging the F.I.R. and the justification given by the informant in lodging the F.I.R. after a lapse of eight days does not appear to be a correct statement as per Annexure-3 and it would be evident that the husband of the informant was being treated in the Refral Hospital for injuries caused to him on 05.11.2018, accordingly, I am inclined to enlarge the petitioner on bail. Let



the petitioner, above named, in the event of his arrest or
surrender before the court below within four weeks from today
be enlarged on bail on furnishing bail bond of Rs.10,000/- with
two sureties of the like amount each to the satisfaction of
A.C.J.M-I Supaul, in Triveniganj P.S. Case No. 448 of 2018
subject to the conditions as laid down under Section 438(2) of
the Cr.P.C.

(Anil Kumar Sinha, J)

Aks/- rahul

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