

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47657 of 2019

Arising Out of PS. Case No.-31 Year-2019 Thana- BASOPATTI District- Madhubani

1. Surendra Yadav, Son of Saukhi Lal Yadav @ Soukhi Lal Yadav, Resident of Mohalla - Kataiya (Koriya Tol), P.S.- Basopatti, Distt - Madhubani.
2. Saukhi Lal Yadav @ Soukhi Lal Yadav, Son of Late Sunar Yadav, Resident of Mohalla - Kataiya (Koriya Tol), P.S.- Basopatti, Distt - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Kr. Sah, Advocate.

For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 12-09-2019 Learned counsel for the petitioners submits that petitioner no.1, namely, Surendra Yadav, has been arrested by the police, so he seeks permission to withdraw this application with respect to petitioner no.1.

Permission is accorded.

Accordingly, this application is dismissed as withdrawn with respect to petitioner no.1.

Heard learned counsel for the petitioner no. 2 and the learned A.P.P. for the State.

The petitioner no. 2 apprehends his arrest in connection with Basopatti P.S. Case No. 31 of 2019, registered under Sections 341, 323, 354, 379, 504 and 307/34 of the Indian



Penal Code.

The accusation is that the informant, Sunita Devi, was returning to his house after attending the call of nature but in the way, six persons named in the F.I.R. including the petitioners came near the informant and laid down, catching her hair and tore her Saree and Blauze and also denoting her *Dian*. Thereafter, Saukhi Lal Yadav (petitioner no.2) caused injury to her through danda, in which, she become unconscious and also snatched gold chain from her neck.

Learned counsel for the petitioner no. 2 submits that, in fact, due to land dispute, occurrence took place, in which, informant fell down and sustained slight injury but with ulterior motive, the present case has been lodged with false allegation. Moreover, two injuries, as found on the person of the informant, out of which, one is simple in nature and another is fracture injury on index finger, which is said to be grievous in nature. Further submission is that petitioner no. 2 has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner no.2 be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six 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 A.C.J.M.-V, Madhubani, in connection with Basopatti P.S. Case No. 31 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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