

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48906 of 2019

Arising Out of PS. Case No.-472 Year-2018 Thana- BAHERA District- Darbhanga

Vijay Yadav @ Vijay Narayan Yadav Son of Surya Narayan Yadav, Resident
of Village - Pipra, P.S.- Bahera and District - Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Girish Chandra Jha
For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 20-11-2019 Heard both sides.

The petitioner seeks bail in Bahera P.S. Case No.472 of 2018 registered under Sections 147, 148, 149, 341, 323, 307, 354(A), 379 and 504 of the Indian Penal Code.

The informant named 20 persons including the petitioner Vijay Yadav and alleged that all came to his house and began abusing and assaulting. During the course of assault, the petitioner is alleged to have assaulted the father of the informant with butt of the rifle on his head, due to which father of the informant received injury on his head and he fell down on the ground. Other accused persons assaulted with lathi and bricks.



Learned counsel for the petitioner submits that the present case is counter version of Bahera P.S. Case No.471 of 2018. The only allegation against the petitioner is that he assaulted the father of the informant with butt of the rifle due to which he received head injury. He further submits the injury report shows that father of the informant received linear undisplaced fracture right front temporal bone caused by hard blunt substance and the doctor opined the injury to be simple in nature.

On the other hand, learned counsel for the informant as well as learned Addl. Public Prosecutor has opposed the prayer for bail and submitted that it was the petitioner, who gives grievous injury on the head of father of the informant. It appears that the petitioner is alleged to have assaulted father of the informant with butt of the rifle, but there is no repetition of blow and only injury was found on the head of the father of the informant. In C.T.Scan, linear fracture of right front temporal bone was found, for that petitioner is in jail since 26.06.2019.

Considering the facts and circumstances and nature of allegation made against the petitioner, the



petitioner, above named, is directed to be enlarged on bail on his furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Benipur, Darbhanga in connection with Behera P.S. Case No.472 of 2018.

(Prabhat Kumar Jha, J.)

nawalkrs/-

U		T	
---	--	---	--

