

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53057 of 2019

Arising Out of PS. Case No.-257 Year-2018 Thana- GORIAKOTHI District- Siwan

MAHESH YADAV Son of Late Jiut Yadav Resident of Village- Gopalpur,
P.S.- Goreyakothi, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prashant Kumar

For the Opposite Party/s : Mr.Abhay Kumar

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 26-08-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Goreyakothi P.S. Case No.257 of 2018 registered under
Sections 341, 323, 324, 504 and 308 of the Indian Penal Code.

The accusation is that in the morning of 19.12.2018,
when the informant was serving the fodder to his cow at Bathan,
at that time, Ganesh Yadav came there and started to abuse.
When the informant asked Ganesh Yadav as to why he is
abusing him, then Ganesh Yadav asked the informant that his
house has been constructed on his land. The informant asked
Ganesh Yadav not to abuse him and get the measurement of the
land. In the meantime, six other persons, named in the F.I.R.,



including the petitioner armed with weapons came there and caused assault to the informant.

Learned counsel for the petitioner submits that while the petitioner is named in the F.I.R. but no specific overt act is attributed to him. The petitioner has no criminal antecedent. Moreover, all the injuries, as found on the person of the informant, are simple in nature except one injury, which is fractured injury in the finger of the informant.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Siwan, in connection with Goreyakothi P.S. Case No.257 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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