

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57961 of 2019

Arising Out of PS. Case No.-35 Year-2019 Thana- PALI District- Jehanabad

RAJ KISHOR YADAV, aged about 60 years (Male), S/O Nathuni Yadav,
Resident of Village- Mubarakpur, P.S.- Pali, District- Jehanabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Ashok Kumar Prasad and Mr. Dheeraj Kumar,
Advocates.
For the Opposite Party : Mrs.Nirmala Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-09-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case for the offence registered under Sections 341, 323, 325, 379, 307, 447, 354(B), 504 and 506/34 of the IPC.

The prosecution story, in brief, is on 24.03.2019 at about 8.00 A.M. the informant was washing utensils at her house then suddenly co-accused Pugi Yadav came and caught her with bad intention and when she cried then her Bhaisur, Sharda Nand Yadav came there and tried to save her then the petitioner alongwith other c-accused persons armed with *pistol*, *Garasa* and *Khanti* came and started abusing thereafter Raj Kishore Yadav (petitioner) assaulted the informant with butt of pistol on the head and co-accused Lal Babu Yadav assaulted with *Garasa* on her head due to which, blood has been oozed



out from her head. Other co-accused persons assaulted Sharda Nand Yadav, Mina Devi and Sobha Devi and snatched a golden chain.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 02.07.2019. The petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is alleged to have assaulted with the butt of pistol on the head of the informant. The said pistol has not been fired in course of occurrence which shows that the petitioner had no intention to commit murder. Hence, no offence under Section 307 of the IPC is made out.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Jehanabad, in connection with Pali P.S. Case No. 35 of 2019.

(Sudhir Singh, J)

U.K./-

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

