

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59940 of 2019

Arising Out of PS. Case No.-233 Year-2019 Thana- KATEYA District- Gopalganj

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1. Bhoj Yadav, Son of Banka Yadav Resident of Village - Rooppoeya, P.S.,- Kateya, Dist.- Gopalganj.
 2. Sanjay Yadav Son of Banka Yadav Resident of Village - Rooppoeya, P.S.,- Kateya, Dist.- Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mohammad Sufyan
For the Opposite Party/s : Mr.Binod Kumar

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

ORAL ORDER

2 23-09-2019 Learned counsel appearing on behalf of the petitioners seeks permission to withdraw the application filed on behalf of the petitioner No. 1 Bhoj Yadav, as he has already been apprehended by the Police.

In view of the above, the application filed on behalf of the petitioner No. 1 Bhoj Yadav is dismissed as withdrawn.

Heard learned counsel for the petitioner No.2 Sanjay Yadav and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Kateya P.S. Case no. 233 of 2019, registered under Sections 341, 323, 324, 307 and 504/34 of the Indian Penal



Code.

The accusation is that on 03.07.2019, the informant Sudama Yadav was sitting at his door, in the meantime, five persons named in the F.I.R., including the petitioner having armed with lathi came there and started to abuse and assaulting the informant. On protest, Bharat Yadav and Bhoj Yadav caused injury to the informant through Lathi., when Ishwar Dayal rushed to save the informant then Lalmuni Devi and Lalita Devi started to abuse the informant and his family. On 04.07.2019, again, all the aforesaid persons came to informant and Bharat Yadav caused injury to wife of informant at her head and Bhoj Yadav and Sanjay Yadav (Petitioner No.2) caused injury at the head of son of informant through lathi. When

Learned counsel for the petitioner No.2 submits that scuffle took place between the informant and petitioner due to land dispute in which informant and his son sustained slight injury, but with ulterior motive, the informant lodged the present case. 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 Sanjay Yadav, be



released on bail, in the event of his arrest or surrender before the learned Court below within a period of four 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 Chief Judicial Magistrate, Gopalganj in connection with Kateya P.S. Case No. 233 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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