

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64178 of 2019

Arising Out of PS. Case No.-70 Year-2019 Thana- MADHAURAH District- Saran

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AJAY KUMAR YADAV @ AJAY PRASAD YADAV @ AJAY PRASAD
RAI, aged about 40 years, Male, Son of Yogendra Prasad Yadav, Resident of
Village - Shiswan, P.S.- Marhaurah (O.P. Garua), Distt - Saran at Chhapra
... Petitioner

Versus

The State of Bihar ... Opposite Party

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Appearance :

For the Petitioner : Mr. Kumar Binode Bariar, Adv.
For the Opposite Party : Mr. Pranav Kumar, APP

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

ORAL ORDER

2 22-10-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Marhaura (Gaura O.P.) P.S. Case No. 70 of 2019 registered
under Sections 147, 149, 432, 307, 379 and 34 of the Indian
Penal Code.

The accusation is that on 22.04.2017 at about 09.00
a.m., five persons, named in the complaint petition, which is the
basis of the first information report, including the petitioner,
came at the door of Vijay Rai, the informant, and started to
abuse. When he made protest, then, on the order of Yogendra
Prasad all started to cause assault. Yogendra Prasad while
attacked through farsa, but, informant, saved himself, thereafter,
petitioner gave the lathi blow causing injury at his left wrist.
Lala Kumar also caused injury at his shoulder whereas Chote
Kumar caused injury through lathi at his left leg and thigh. At
that time, Yogendra Prasad took the bicycle worth Rs.2,000/-.



The learned counsel appearing on behalf of the petitioner submits that while the occurrence is said to be of 22.04.2017, but, the informant lodged the Complaint Case No. 2040 of 2017 on 04.12.2018, after more than eight months, in the Court of the Chief Judicial Magistrate, Saran at Chapra, which is the basis of the present case, after obtaining the forged medical certificate. Petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Marhaura (Gaura O.P.) P.S. Case No. 70 of 2019 shall be released on bail on 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, Saran at Chapra, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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