

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70027 of 2018

Arising Out of PS. Case No.-192 Year-2016 Thana- MAJHAULIA District- West Champaran

Amardeo Yadav @ Amardeo Prasad Yadav, Son of Late Sukhdeo Yadav @
Sukhdeo Yadav, Resident of Village- Bahuarwa, Bahsi Tola, Police Station-
Majhauriya, District- West Champaran at Bettiah.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjana

For the Opposite Party/s : Mr.Sri Rajballabh Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 11-01-2019 Heard the learned counsel for the petitioner and the
learned counsel for the State.

The petitioner seeks regular bail in connection
with Majhauriya PS case no. 192 of 2016 registered for the
offence punishable under Sections 341, 323, 324, 307, 302, 379,
504/34 of Indian Penal Code.

The allegation in the present case is regarding the
dispute having taken place on account of distribution of the
portion of the Seesam tree in between the prosecution side and
the accused persons, whereafter the accused persons are said to
have assaulted the informant and his father resulting in grievous
injuries to them, whereupon the father of the informant died
during the course of treatment.



The learned counsel for the petitioner submits that the F.I.R. itself would show that the petitioner has been alleged to have assaulted the informant and not the father of the informant, hence no offence under Section 302 of Indian Penal Code is made out, as far as the petitioner is concerned. It is further submitted that infliction of *farsa* blow by the petitioner on the head of the informant has not led to any grievous injury which can be culled out from Annexure-3 to the present petition, inasmuch as the doctor has reserved opinion subject to receipt of the X-ray report, however the X-ray was not got conducted by the informant of this case. It is further submitted that the present case arises out of case and counter case and the accused persons are also said to have suffered injuries. The petitioner is stated to be having a clean antecedent and is languishing in custody since 13.08.2018. It is further submitted that similarly situated co-accused person namely Asnan Yadav has already been granted bail by this Court vide order dated 11.01.2018 passed in Cr. Misc. no. 56959 of 2017.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner on regular bail.



Accordingly, the abovenamed petitioner is directed to be enlarged on regular bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bettiah, West Champaran in connection with Majhauriya PS case no. 192 of 2016.

(Mohit Kumar Shah, J)

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