

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75994 of 2018

Arising Out of PS. Case No.-185 Year-2018 Thana- DHURAIYA District- Banka

Rajesh @ Rakesh Yadav, Son of Jagri Yadav @ Jageshwar Yadav, Resident of
Village- Bichhoutiya, P.S. Dhoraiya, District Banka.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mritunjay Prasad Singh, Adv.
For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 24-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 14.09.2018 in a case registered for the offence punishable under Sections 147,148,149,341,307,379,504,506 of the Indian Penal Code and Sections 3/4 of the Explosive Substances Act.

The prosecution case got initiated on the basis of written report of Dhananjay Singh submitted to the Station House Officer, Dhoraiya Police Station is to the effect that on 02.09.2018 about 5.00 P.M., the informant went to his agricultural field and found that co-accused Titu Yadav and Anuj Yadav have destroyed the paddy crops by getting the same grazed through buffaloes. On protest being made, they started abusing and assaulting the informant. In the meantime, Devendra Singh, Nand Lal Singh who were coming from the



market, tried to intervene the matter. But all the accused persons, ten in number, including the petitioner, came and started assaulting the informant and on the order of co-accused, Titu Yadav, co-accused Pappu Yadav and Rajesh Yadav, the petitioner hurled bomb on Dhananjay Singh, Devendra Singh and Kameshwar Singh, as a result, Kameshwar Singh received explosive injuries. It is further alleged that co-accused, Pucho Yadav snatched a gold chain, a mobile phone and a wrist watch from Nandlal Yadav.

It is submitted by learned counsel for the petitioner that for a petty dispute, the accusation has been levelled against the petitioner. The specific accusation has not been levelled against the petitioner, rather it is levelled against co-accused, Pappu Yadav of hurling bomb on Dhananjay Singh, Devendra Singh and Kameshwar Singh. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State after going through the case diary submits that though one person has received injuries, but the said injury has been caused by hard and blunt substance.

Considering the accusation being not corroborated



with medical opinion, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Banka in connection with Dhoraiya P.S. Case No. 185 of 2018.

(Dinesh Kumar Singh, J)

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