

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11783 of 2020

Arising Out of PS. Case No.-5 Year-2019 Thana- NARPATGANJ District- Araria

KHELANAND YADAV, aged about 62 years (M), Son of Late Sant Lal Yadav, Resident of Village-Panjarkatta, Ward no. 01, P.S.- Narpatganj, District- Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Mukesh Kumar Rana, Advocate.
For the Opposite Party : Mr.Surendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-02-2020 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, 324, 307 and 504/34 of the IPC.

The prosecution story, in brief, is that on 22.12.2018 at about 8.00 A.M. Ram Krishna Yadav, the father of the informant had gone to see his field by his Cycle and as soon as, he got down from his Cycle, all the accused persons including the petitioner armed with Farsa, Spade, Axe and Lathi were present therefrom before and when he asked the accused persons about the ridge of field, they became angry. On the order of Khelanand Yadav (petitioner), co-accused Suresh Yadav



inflicted Spade blow on his head with intent to kill him. As a result, he fell down, co-accused Sharwan Yadav and Naresh Yadav again attacked on him with Farsa, as a result, blood started oozing out and he fell down. The villagers brought him at P.H.C. Forbesganj for his treatment but seeing his critical condition, he was referred to Biratnagar (Nepal) for his better treatment who is still in critical condition.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 16.01.2020. The petitioner has got no criminal antecedent. He has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The specific allegation of assault is against Suresh Yadav, Shrawan Yadav and Naresh Yadav. The petitioner is an order giver. There is no allegation of assault alleged against the petitioner.

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.



Araria, in connection with Narpatganj P.S. Case No. 05 of 2019.

(Sudhir Singh, J)

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