

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25502 of 2020

Arising Out of PS. Case No.-66 Year-2019 Thana- NAUHATTA District- Saharsa

Raj Kishore Yadav, S/o Triveni Yadav, Resident of Village-Narayanpur, P.S.-
Nauhatta, District-Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

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

ORAL ORDER

2 02-11-2020 In view of the submission and undertaking of the learned counsel for the petitioner, at the time of hearing of this application through Video Conferencing, that he would remove the defect(s), as pointed out by the stamp reporter, within two weeks of starting of the Court proceeding in physical mode, he is permitted to remove the same accordingly.

Heard learned counsel for the petitioner and the learned A.P.P. appearing for the State through Video Conferencing.

The petitioner apprehends his arrest in connection with Nauhatta P.S. Case No. 66 of 2019, registered under Sections 147, 148, 149, 341, 323, 307, 354(A), 354(B), 379 and 504 of the Indian Penal Code and Section 27 of the Arms Act.



The accusation is that in the morning of 13.06.2019, due to land dispute, 18 persons named in the FIR including the petitioner having armed with gun, rifle, lathi, Bhala and Farsa came near the door of informant, Panma Devi, and started indiscriminate firing. At that time, on the order of Harinandan Yadav, Raj Kishore Yadav (petitioner) gave Farsa blow causing injury at the left side of forehead of her husband, Manoj Yadav. Thereafter, her husband fell down then others also started to cause assault to her husband through lathi. When the informant reached to save her husband then Chandra Kishore Yadav and Chandra Deo Yadav started to pull her and tried to unfold her cloths. In the meantime, when Ram Sudhari Yadav and Anand Yadav reached to save them then they were also assaulted.

Learned counsel for the petitioner submits that due to land dispute, occurrence of Marpit took place, in which petitioner's side also sustained injury, regarding which, Nauhatta P.S. Case No. 67 of 2019 is also instituted against the informant and others on the basis of Fradbeyan of Rekha Devi, wife of co-accused, Chandra Deo Yadav. Further submission is that in course of occurrence, husband of the informant sustained simple injury but the husband of the informant was treated in Private Nursing Home, namely, Swaraj Hospital, Sant Nagar,



Hanuman Chowk, Saharsa, only to get manage in the injury report to the effect that the injury is grievous in nature. Further submission is that petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six 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 learned Judicial Magistrate Ist Class, Saharsa, in connection with Nauhatta P.S. Case No. 66 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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