

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82378 of 2019

Arising Out of PS. Case No.-591 Year-2018 Thana- BRAHMPUR District- Buxar

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Anant Yadav @ Anant Pd. Yadav, S/o Late Brahmeshwar Yadv @ Late
Brameshwar Yadav R/o village- Barki Nainijor, P.S.- Nainijor, District- Buxar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimal Kumar

For the Opposite Party/s : Mr.Prem Kumar Jha

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

ORAL ORDER

3 30-06-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State through video conferencing.

The petitioner apprehends his arrest in connection
with Brahmpur (Nainizore) P.S. Case no. 591 of 2018,
registered under Sections 147, 148, 149, 341, 323, 504, 379,
429 and 307 of the Indian Penal Code.

The accusation is that the cattle dung of the
informant was stored at the land of Yogendra Yadav, which was
being thrown hither and thither by 14 persons named in the
F.I.R., including the petitioner, who were variously armed with
weapons. When informant Devendra Yadav along with his two
brothers and one Brameshwar reached there then saw Atma
Yadav was removing one cow and other cow was removed by
Bihari and Rakesh Yadav, when informant forbade them to not



remove the cow then Anant Yadav (Petitioner) gave Farsa blow causing injury at his head as a result of which he fell down. Thereafter, Sidhnath and Dudhnath exhorted on which Umesh Yadav and Naresh Yadav caused injury through iron rod at his left hand. At that time other persons also sustained injuries.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that place of occurrence is not belong to the informant, where he stored cattle dung, rather, the same was belonged to the Yogendra Yadav due to that reasons occurrence of Marpit took place in which petitioner's side also sustained injuries regarding which Brahmpur (Nainijore) P.S. Case No. 593 of 2018, under Section 147, 148, 149, 341, 323, 504 and 307 of the Indian Penal Code was instituted against the informant on basis of fardbeyan of co-accused. Moreover, specific allegation against the petitioner is to cause head injury through Farsa at the head of informant, but the same injury is simple in nature. The 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 four 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 Chief Judicial
Magistrate, Buxar in connection with Brahmpur (Nainizore) P.S.
Case No. 591 of 2018, subject to the condition as laid down
under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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