

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25037 of 2021**

Arising Out of PS. Case No.-35 Year-2019 Thana- PURUSHOTTAMPUR District- West
Champaran

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SHESH NATH YADAV SON OF SRI HARINARAYAN YADAV R/O VILL.-
NARKATIA, P.S.- PURUSHOTTAMPUR, DIST.- WEST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma
For the Opposite Party/s : Mr. A.G

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-12-2021 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

Learned counsel for the petitioner is directed to

remove the defects, as pointed out by the office, within a period

of four weeks.

The petitioner apprehends his arrest in a case

registered for the offences punishable under Section 341, 323,

447, 448, 324, 307, 379, 427 & 337/34 of the Indian Penal

Code.

The petitioner in association of other co-accused is

said to have variously armed with deadly weapon forcibly

entered into the house of the informant after breaking the door

and the petitioner gave a garasi blow on his head with intention



to kill him. Co-accused, Jakshan Yadav gave knife blow on his left hand due to which he fell down on the ground and thereafter all the accused persons assaulted him with lathi and iron rod.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case due to previous enmity. Earlier the petitioner has lodged two criminal cases against the informant and the present case is also counter version of Purshottampur P.S. Case No.38/19. No case is made out under Section 307 IPC. The allegation levelled against the petitioner is not specific rather general and omnibus in nature.

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. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Purushottampur P.S. Case No. 35 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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