

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32176 of 2020**

Arising Out of PS. Case No.-110 Year-2019 Thana- BHAGALPUR KOTWALI
District- Bhagalpur

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Sandeep Yadav @ Akela Yadav @ Sanjeev Kumar Yadav Son of Sindhwa
Yadav @ Singho Yadav @ Singheshar Yadav Resident of Mohalla - Urdu
Bazar, P.S. - Tatarpur, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Syed Masleh Uddin Ashraf, Advocate

For the State : Mr. J.K. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

4 20-01-2021

Heard learned counsel for the petitioner and learned
APP for the State. Learned counsel for the petitioner has filed an
undertaking to remove all defects pointed out by the Stamp
Reporter as and when required. It is accordingly directed that all
defects pointed out by the Stamp Reporter be removed within
one month hereof.

2. The petitioner is in custody since 14.05.2020 in
connection with Kotwali (Tilkamanjhi) P.S. Case No. 110 of 2019
for the offences alleged under Sections 341, 323, 504, 506, 307,
379, 147, 148 and 149 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely
implicated in connection with assault on the informant. It is
submitted that pursuant to a quarrel between the petitioner and
the informant (bus driver) over the issue whose bus will go first,



a scuffle ensued in which the petitioner is alleged to have made farsa blow on the back of the informant's neck causing injury. It is submitted that in any event the injury is simple in nature. It is submitted that there was no prior criminal intention on the part of the petitioner rather the incident occurred on the spur of the moment and without premeditation. The petitioner is accused in one prior case of different nature in which he is on bail.

4. Learned APP appears and has been heard.

5. Be that as it may, let the petitioner above named be released on bail upon his completing one year in custody, on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur, in connection with Kotwali (Tilkamanjhi) P.S. Case No. 110 of 2019, if he is not otherwise required in any other case.

6. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Vikash Jain, J)

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