

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38217 of 2020

Arising Out of PS. Case No.-116 Year-2020 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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SHRAWAN YADAV @ SHARWAN KUMAR SON OF LATE GOPAL Yadav
Resident Of Village - Gulariya Chak, Police Station - Magadh Medical,
District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-08-2021 Heard learned counsel for the petitioner and learned APP
for the State through virtual mode.

Counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.

The petitioner is apprehending his arrest in connection with Magadh Medical P.S. case No.116 of 2020 registered under Sections 341, 323, 324, 307, 379 and 34 of the Indian Penal Code.

Allegation is that the petitioner assaulted the informant by means of khanti on his head, due to which he sustained injuries.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The nature of injury is



said to be simple. Hence, no offence under Section 307 of the I.P.C. is made out. The alleged occurrence is said to have taken place on 11.06.2020 and the case was instituted on 16.06.2020. Delay has not been explained by the prosecution.

On behalf of the State, it is submitted that the petitioner is named in the complaint case/F.I.R.

Considering the facts and circumstances of the case and also the lockdown, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Additional Chief Judicial Magistrate IV, Gaya, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

Narendra/-

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