

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13075 of 2022**

Arising Out of PS. Case No.-193 Year-2021 Thana- BISFI District- Madhubani

SHITAL PRASAD YADAV Son of Shiv Nandan Yadav Resident of Village -
Bhagauti, P.s.- Bisfi, Distt.- Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 16-08-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 341, 323, 324, 504/34 of the IPC and later on 307 IPC was added.

Allegation against the petitioner is that he along with other accused persons has assaulted the informant.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation



leveled against the petitioner is not specific rather general and omnibus in nature. It is submitted that the parties are agnates and there is an admitted land dispute between them. A partition suit is going on between the parties. It is further submitted that for the alleged occurrence, there is a case and counter-case between the parties. A free fight has taken place between the parties and both sides have sustained injuries, which are simple in nature. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since the injuries are simple in nature, 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/Successor Court in connection with Bisfi P.S. Case No.193/2021 (G.R. Case No.549/2021), subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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