

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39412 of 2021

Arising Out of PS. Case No.-48 Year-2020 Thana- SONO District- Jamui

SUBODH YADAV @ SUBOD KUMAR S/o- Tahal Yadav R/o Village-
Makarkend, P.S.- Charkapathar (Sono), District- Jamui (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha

For the Opposite Party/s : Mr.Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-03-2022 Heard the parties.

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

The petitioner apprehends his arrest in a case in connection with Sono (Charkapathar) P.S. Case No.48 of 2020, registered for the offence punishable under Sections 341, 323, 307, 504 and 506/34 of the Indian Penal Code.

The allegation in the FIR is that all the accused persons including the petitioner have assaulted the brother of informant and when, informant went to save him, then the accused Sanjay Yadav gave axe blow over his head, due to which he sustained head injury.



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 to the previous land dispute. No such occurrence as alleged has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. There is a case and counter-case between the parties and in the said occurrence, both sides have sustained grievous injuries, which is apparent from Annexure-3a and the impugned order. 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 both sides have sustained grievous injuries, 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 Sono (Charkapathar) P.S. Case No.48 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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