

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55013 of 2021

Arising Out of PS. Case No.-18 Year-2021 Thana- HARLAKHI District- Madhubani

SHIV CHANDRA YADAV Son of Late Baldeo Yadav Resident of Village-
Mahadeo Patti, P.S.- Harlakhi, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Murari Narain Chaudhary
For the Opposite Party/s :	Mr.Rana Bhupendra Narayan Singh
	Ms.Babita Kumari, Adv.
	Mr.Rana Randhir Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 06-07-2022 Heard the parties.

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.

Petitioner apprehends his arrest in a case registered for the offence punishable u/s 307, 323, 341, 354, 379 & 504/34 IPC.

Allegedly, this petitioner has assaulted the informant by means of Khanti over head, due to which she became badly injured and fell on the ground.

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. There is an admitted



land dispute between the parties. It is submitted that for the alleged occurrence, there is a case and counter-case between the parties. The injury upon the informant is simple in nature. It is further submitted that the occurrence took place on 30.12.2020 but the F.I.R. was lodged on 17.01.2021 i.e. after a delay of nearly eighteen days and no plausible explanation for such delay has been given, which creates doubt about the prosecution case.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the delay in lodging the F.I.R., 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 Harlakhi P.S. Case No.18 of 2021, G.R. No.38 of 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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