

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62748 of 2021

Arising Out of PS. Case No.-87 Year-2021 Thana- BARAUNI District- Begusarai

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TUNTUN YADAV S/o Musho Yadav Resident of Village- Rupnagar, P.S.-
Barauni (Chakiya O.P.), District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 06-04-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for regular bail arises out of Barauni
P.S. Case No. 87 of 2021, disclosing offence punishable under
Section 307 and other allied Sections of the Indian Penal Code.

It is alleged in the FIR that the petitioner and his
family members suddenly ambushed the informant when he was
grazing animal in the agricultural field. Female members of the
petitioner's family have also been made accused among
altogether nine persons named in the FIR. There is specific
allegation against the petitioner of having assaulted the
informant in his head with an axe.

Learned counsel appearing on behalf of the petitioner



has submitted that rival parties are close agnates and as per the prosecution's case, though the informant was allegedly taken initially to the Sadar Hospital, for reasons unknown, he claims to have been shifted to a private hospital. The injury report has been prepared by the said private hospital and not the Sadar Hospital. He has submitted that no offence under Section 307 of the Code can be said to be made out based on the allegation made in the FIR in the absence of any allegation of repetition of blow by the petitioner. He has further submitted that a counter-case has been registered in respect of the occurrence. Petitioner is in custody since 15.07.2021.

Considering the period of petitioner's custody and the submissions advanced on behalf of the petitioner as noted above, this application is allowed. Let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in Barauni P.S. Case No. 87 of 2021.

(Chakradhari Sharan Singh, J)

Rajesh/-

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