

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35930 of 2023

Arising Out of PS. Case No.-268 Year-2022 Thana- GORIAKOTHI District- Siwan

Jay Kishor Yadav @ Saheb Yadav Son Of Shesh Nath Yadav R/O Village-
Sisai Mantu Rai Ka Tola, P.S.-Goreakothi, District-Siwan

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ramchandra Sahni, Advocate
For the Opposite Party : Mr. Anil Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Goreakothi P.S. Case No. 268 of 2022 dated 08.12.2022,
instituted for the offence punishable under Sections
341/323/324/307/504/34 of the Indian Penal code

3. The case of prosecution, in short, is that on
07.12.2022, at about 05:00 pm, the petitioner along with two
accused persons broke informant's pump set machine by driving
truck over it. It is further alleged that on protest they assaulted
the informant and petitioner hit the informant's head with iron
rod.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has falsely been implicated in this



case. It is submitted that as per the injury report the informant has received four injuries. The injury report is annexed as Annexure-2. It is submitted that there is allegation of single iron rod blow on the head of the informant and there was no prior intention to assault the informant rather occurrence took place on spur of moment. Lastly, it has been submitted that he has no criminal antecedent.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner in connection with Goreakothi P.S. Case No. 268 of 2022, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Siwan subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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