

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50569 of 2022

Arising Out of PS. Case No.-242 Year-2020 Thana- GHANSHYAMPUR District- Darbhanga

GAJENDRA YADAV Son of Late Anant Yadav R/V- Pohaddi Bela, P.s-
Ghanshyampur, Dist- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 11-01-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner apprehends his arrest in connection
with Ghanshyampur Police Station No.242 of 2020 instituted
under Sections 341,447,323,307,384,354,504,427,506/34 of the
Indian Penal Code.

As per the FIR, host of persons attacked the
informant's side and the allegation against this petitioner is of
hitting the informant on his head causing injury.

Learned counsel for the petitioner submits that there
has been allegation of single blow and as per the injury report,
two of them were found to be simple in nature and so far as the
other is concerned, the opinion was reserved and by way of
supplementary affidavit he has been brought on record the other



medical documents to show that till date there is no opinion about the said injury. It is further submitted that he do not have criminal antecedent and there is a counter case to the said allegation by way of Ghanshyampur Police Station No.241 of 2020. The last submission is that irrespective of the outcome of the present petition, in view of the fact that the informant side has alleged injuries, the petitioner(s) on its own would like to contribute towards the medical assistance of Rs.20,000 through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned court to be handed over to the informant after checking the credentials.

Learned APP on the other hand submits that there is allegation of causing injury to the informant by the petitioner and as such he has opposes the prayer.

Taking into account the fact that the petitioner do not have criminal antecedent, some of the injuries have been found to be simple in nature and there is nothing on record to show that the injury inflicted by the petitioner has been found to be grievous and ultimately he has to face the trial, this Court is inclined to grant him relief subject to payment of Rs.20,000/- as stated above.

Let the petitioner be released on bail, in the event of



his arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each in connection with Ghanshyampur Police Station No.242 of 2020 to the satisfaction of learned Additional Chief Judicial Magistrate,III, Biraul, Darbhanga, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Prakash Narayan /-

U		T	
---	--	---	--

