

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51813 of 2022

Arising Out of PS. Case No.-110 Year-2022 Thana- RAJNAGAR District- Madhubani

MAHAVIR YADAV Son of Ghurn Yadav Resident of village - Pilakhwar,
P.S.- Rajnagar, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mrs. Namrata Mishra, Advo
For the Opposite Party/s :	Mr.Arun Kumar Singh, APP
For the informant :	Mr. Jitendra Kumar Bharti, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 12-01-2023 Heard Mrs. Namrata Mishra, learned counsel for the petitioner, the learned APP for the State as also learned counsel for the informant.

The petitioner apprehends his arrest in connection with Rajnagar P.S. Case No.110 of 2022 instituted under Sections 143,341,323,324,307,379,448,509,504/506 of the Indian Penal Code.

As per the prosecution story, the accused persons armed variously attacked the informant's side and allegation against Sita Ram Yadav and Mahavir Yadav (the petitioner herein) of giving injuries on his head as a result whereof, he fell down. The allegation against Mahavir Yadav is of giving indiscriminate 'Tengari' blow. There are allegations against other accused persons also of attacking the informant's family.



Accordingly, the FIR was lodged.

Learned counsel for the petitioner submits that it is a false implication and the injury report will show that contrary to the allegation that repeated blow was given, the medical report shows only one wound on the parietal region as also swelling in the neck. It is her submission that both the informant and the accused persons are agnates and due to land dispute some scuffle took place from both sides which led to case and counter case. The last submission is that irrespective of the outcome of the present petition the petitioner would like to give medical assistance to the informant to the tune of Rs. 25,000/- 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 counsel for the informant submits that they have been attacked and injured by the petitioner's side and as such has oppose the prayer for anticipatory bail vehemently.

Taking into account the fact that it is matter of case and counter case, ultimately the petitioner has to face the trial and would be available to the police as and when required in course of investigation, this Court is inclined to grant him relief subject to payment of Rs.25,000/- 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 Rajnagar P.S. Case No.110 of 2022 to the satisfaction of learned Chief Judicial Magistrate, Ist, Madhubani, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Prakash Narayan /-

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