

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72825 of 2023

Arising Out of PS. Case No.-39 Year-2018 Thana- DHANKUND District- Banka

PRABHASH YADAV Son of Sri. Harideo Yadav @ Sri. Hardev Yadav
Resident of village - Miyagariya, Police Station - Dhankund, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 09-11-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Dhankund P.S. Case No. 39/2018, dated 02.04.2018, instituted
under Sections 341, 323, 307, 504 of the Indian Penal Code in
which charge-sheet has been submitted under sections 341, 323,
308, 504 of the Indian Penal Code.

3. The allegation against the petitioner is that on
account of some family dispute he assaulted the informant
Diwakar Yadav by means of *Khanti* causing bleeding injury on
his head as well as left leg.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. It is submitted after completing the investigation the



Investigation Officer has submitted charge-sheet under Sections 341, 323, 308 and 504 of the Indian Penal Code and accordingly the Magistrate has taken cognizance under the same sections. It is submitted that the informant and petitioner are the full brother. Petitioner has no criminal antecedent. In the impugned order, the learned court below has discussed about the injury sustained by the informant which is skin deep injury over his head.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on 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 Chief Judicial Magistrate, Banka/Court concerned, in connection with Dhankund P.S. Case No. 39/2018, subject to the conditions laid down in Section 438(2) of the C.r.P.C.

7. The application stands allowed.

(Khatim Reza, J)

Ranjeet/-

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

