

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69307 of 202

Arising Out of PS. Case No.-327 Year-2022 Thana- CHOUTARWA District- West
Champaran

=====

LAL BABU YADAV S/O Mohar Yadav R/O Village- Bathwariya, P.S-
Bathwariya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Milind Kumar Mishra, Adv.

For the Opposite Party/s : Mr.Umesh Lal Verma, APP.

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-01-2023 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

The petitioner apprehends his arrest in a case registered for
the offences punishable under Sections 147, 148, 149, 341, 323,
324, 325, 307, 379, 504, 506/34 of the Indian Penal Code.

Allegedly, petitioner is said to have abused and assaulted the
informant with farsa on his head with intention to kill him.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent. No such occurrence as alleged ever
took place. He has been falsely implicated in this case. From the
perusal of the FIR it is clear that the petitioner and the informant
are co-sharers and due to the previous land dispute, this
occurrence took place. Both sides have filed cases against each
other. It is further submitted that from the perusal of the medical
report of Santosh Kumar and Rameshwar Yadav, it is clear that
Santosh Kumar sustained two injuries, which are simple in nature



whereas the allegation against the petitioner is that he assaulted with farsa on the head of Santosh Kumar but there is no sharp cut injury sustained by Santosh Kumar. Rameshwar Yadav sustained injury which is grievous in nature. The said injury is attributed to Sonu Kumar, who allegedly assaulted Rameshwar Yadav. Therefore, there is specific allegation against the co-accused Sonu Kumar. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since the nature of the injury sustained by Santosh Kumar is simple, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Choutarwa (Bathwariya) P.S. Case No. 327 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

divyanshi/-

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

