

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75392 of 2023

Arising Out of PS. Case No.-369 Year-2023 Thana- GHOSI District- Jehanabad

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MITHU YADAV SON OF LATE DHURI YADAV RESIDENT OF
VILLAGE - ATIAWAN, P.S. - GHOSHI, DISTRICT - JEHANABAD
(BIHAR)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Uma Kant Mishra, Advocate.

For the Opposite Party/s : Mr.Kalyan Shankar, APP.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 29-11-2023 Heard Mr. Uma Kant Mishra, learned counsel

appearing on behalf of the petitioner and Mr. Kalyan Shankar,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Ghoshi P.S. Case No. 369 of 2023 registered for the
offence punishable under Sections 341, 323, 324, 325, 307, 338,
379, 504, 34 and 354 of the Indian Penal Code.

3. As per the allegation made in the F.I.R., petitioner
has assaulted the uncle of the informant who sustained head
injury and there is specific allegation against other co-accused
in the F.I.R. of assaulting other family members of the
informant.

4. Learned counsel appearing on behalf of the
petitioner submitted that the informant is own brother of the
petitioner. He further submits that though the allegation against



the petitioner is of giving iron blow on the head of the uncle of the informant, but the injury sustained by the uncle of the informant is simple in nature. The incidence has taken place due to dispute with regard to distribution of compensation among the brothers which was given by the State Government on account of the unnatural death of father of the petitioner as well as informant as per government policy.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Having perused the allegation made in the F.I.R. as well as injury sustained by the victim is simple in nature and appears to have been caused in course of fight between the parties which was not intentional, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad in connection with Ghoshi P.S. Case No. 369 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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