

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19190 of 2024

Arising Out of PS. Case No.-365 Year-2023 Thana- JAGDISHPUR District- Bhojpur

Hareram Singh Yadav S/o Jomdhari Singh Yadav R/o Vill - Babhaniyaon, P.S.
- Jagdishpur, Dist. - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta, Adv.

For the Opposite Party/s : Mr. Pranav Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 24-04-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Jagdishpur P.S. Case No. 365 of 2023, registered on 26.08.2023 for the offences under Sections 341, 323, 307, 504 and 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and other co-accused persons tried to steal the buffalo of the informant. When the informant raised alarm, the petitioner hit him with his rifle on his head causing its fracture.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The informant and petitioner are next door neighbours and agnates and for the dispute of

drainage of sewer water, this false case has been lodged. The petitioner never committed theft and never assaulted the informant with rifle. The petitioner is having clean antecedent.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner. Learned A.P.P. appearing for the State further submits that there is specific allegation that the petitioner and other persons stole the buffalo of the informant and also hit him on his head.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and also considering the relationship of the petitioner and likelihood of background being the reason for false accusation, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Bhojpur at Ara in connection with Jagdishpur P.S. Case No. 365 of 2023, subject to the condition laid down under Section 438(2) of the code of Criminal Procedure and other following conditions:

- (i) One of the bailors will
be a close relative of the

petitioner.

(ii) The petitioner will remain present on each and every date fixed by the below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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