

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32506 of 2024

Arising Out of PS. Case No.-283 Year-2020 Thana- GHANSHYAMPUR District- Darbhanga

Chandra Deo Yadav @ Chanardeo Son Of Late Vasudeo Yadav Resident Of
Village - Bhadaun, P.S. - Ghanshyampur, District - Darbhanga

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 31-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Ghanshyampur P.S. Case No. 283 of 2020, registered on 11.12.2020 for the offences under Sections 341, 323, 324, 307, 379, 504/34 of the Indian Penal Code.

3. As per prosecution case, the petitioner and other co-accused persons armed with firearm, axe, lathi and danda assaulted the informant causing a number of injuries to him. The allegation against the petitioner is that of giving an axe blow on the head of the informant.

4. Learned counsel for the petitioner submits that



the petitioner is innocent and has falsely been implicated in this case. The petitioner is having clean antecedent and the present case is counter blast of the case earlier lodged by the petitioner against the informant and others vide Ghanshyampur P.S. Case No. 282 of 2020 in which the petitioner has received injury and one such injury is fracture of the left arm. The petitioner has lodged the case for the occurrence of the same day. Learned counsel further submits that there is no repetition of blow for which the allegation has been made against the petitioner and no intervening circumstances hence, no case under Section 307 of the IPC is made out against the petitioner. The petitioner and the informant are co-villager and due to groupism in village, the occurrence took place and petitioner has been falsely implicated in this case.

5. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that the informant received four injuries and the injury on the head is found to be grievous and dangerous to life caused by hard blunt substance as well as by sharp cutting weapon but the nature of injury is simple.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering



the case and counter case between the parties and further considering the simple nature of injury attributed to the petitioner and also considering the possibility of false implication, 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) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. I, Biraul, District - Darbhanga/concerned court in connection with Ghanshyampur P.S. Case No. 283 of 2020, subject to the condition as 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 court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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