

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44345 of 2024

Arising Out of PS. Case No.-326 Year-2023 Thana- ALOULI District- Khagaria

Chandan Yadav @ Rajvali Kumar Son of Prakash Yadav R/o- Village-
Sanjhauti, P.S.- Alauli, Distt.- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Singh, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 24-07-2024 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 Alauli P.S. Case No.326 of 2023, registered on 12.07.2023 for the offences under Sections 341, 323, 307, 385, 379 and 506 of the Indian Penal Code.

3. As per prosecution case, the petitioner hit the informant on his head with butt of a country made pistol causing injury to the informant. The petitioner has been demanding extortion money from the informant.

4. Learned counsel for the petitioner submits that the allegation against the petitioner is hitting the informant on his head with butt of a country made pistol but the injury report



shows it is a sharp edged injury. Further, the injuries are stated to be laceration on frontal region of head of size 2"x1/2"x1/2 and pain and swelling on left shoulder which falsifies the prosecution allegation. From the F.I.R. itself it is apparent that no offence under section 307 of IPC is made out and the allegation of snatching Rs.1255/- from the pocket of the informant is merely super addition. Petitioner is having antecedent of one case in which he is on bail.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering absence of any life threatening assault and also considering the superficial nature of injuries of the informant, 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 Chief Judicial Magistrate, Khagaria/concerned court in connection with Alauli P.S. Case No.326 of 2023, 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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