

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53295 of 2024

Arising Out of PS. Case No.-69 Year-2024 Thana- DHANAHAN District- West Champaran

Rahul Yadav Son of Melu Yadav R/O Vill.- Ghushari, P.S.- Dhanaha, Dist.-
West Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Anand Kishore Choudhary, Advocate
For the Opposite Party/s : Mr.Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 28-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The accused-petitioner, named in the F.I.R., is apprehending his arrest in connection with Dhanaha P.S. Case No. 69 of 2024 registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504 and 506/34 of the Indian Penal Code. He has no criminal antecedent as stated in paragraph '3' of the application.

3. The allegation against the petitioner is to assault the daughter-in-law of the informant alongwith other co-accused persons by using spade causing multiple bodily injuries, having an intention to cause her death, where occurrence alleged to be arising out of land dispute between



the parties.

4. Learned counsel appearing on behalf of the petitioner submitted that the allegation, as per face of F.I.R., against the petitioner is to assault on left arm of daughter-in-law of the informant, which is non-vital part. It is submitted that all injuries alleged to be received by daughter-in-law of the informant are simple in nature, which is sufficient to suggest that out of said injuries, death may not likely to be caused. It is further submitted that from the injury report, all injuries received by the daughter-in-law of the informant appears to be caused by hard and blunt object, whereas spade, by all probabilities, may cause incised/sharp cut injuries.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. In view of the aforesaid factual submissions and by taking note of the nature of injury which appears simple in nature, *prima-facie* negating intention to cause death, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from today, is



directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned 1st Class Judicial Magistrate, Bagaha, West Champaran/concerned court, in connection with Dhanaha P.S. Case No. 69 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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