

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85252 of 2023

Arising Out of PS. Case No.-80 Year-2023 Thana- MURLIGANJ District- Madhepura

Ramanand Yadav Son Of Deo Narayan Yadav Residents Of Village-
Gamhariya Ekamwa, Ward No. 11, Police Station- Murliganj, District-
Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad

For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 24-01-2024 Heard Mr. Uday Chand Prasad, learned counsel
appearing on behalf of the petitioner and learned Additional
Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Murliganj P.S. Case No. 80 of 2023 , registered for the
offences punishable under Sections 341, 323, 324, 379, 354B,
307, 504, 506, 34 of the Indian Penal Code.

3. Allegedly, while the informant and others were
sitting in the courtyard, in the meantime, all the FIR named
accused persons, including the petitioner, variously armed came
there and started abusing. On protest being made, the petitioner
assaulted the informant by means of iron rod causing injury over
his head. When the wife of the informant came to his rescue, she



was also assaulted and misbehaved by all the accused persons. Further allegation has also been levelled against the accused persons of snatching valuables.

4. It is submitted on behalf of the petitioner that from the narrative of the FIR it is evident that the alleged occurrence took place on 23.02.2023, however, the present FIR has been instituted on 06.03.2023, after a delay of 11 days without there being any explanation. Further submission has been made that in fact both the parties are agnates and on account of land dispute a free-fight has taken place resulting into case and counter case bearing Murliganj P.S. Case No. 89 of 2023 instituted against the informant and others. He next submits that the injuries sustained to the informant and his wife are found to be simple in nature, copies of which have been marked as Annexure-P/2. He lastly submits that the petitioner is a man of fair antecedent and he undertakes that he will fully cooperate in the investigation and in the proceeding of the court.

5. On the other hand, learned counsel for the State opposes the bail application and submits that the specific allegation of assault has been levelled against the petitioner.

6. Regard being had to the submissions made on behalf of the parties and considering the delay in lodging of the



FIR and the fact that the injuries are found to be simple in nature, coupled with the fair antecedent of the petitioner, let the petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Madhepura in connection with Murliganj P.S. Case No. 80 of 2023, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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