

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6272 of 2019

Arising Out of PS. Case No.-93 Year-2018 Thana- JADIA District- Supaul

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Pappu Yadav, son of Jai Prakash Yadav, Resident of Village - Fasia Kotho,
Ward No. 03, P.S.-Jadia, District-Supaul.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dinesh Choudhary
For the Opposite Party/s : Mr.Yogendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-02-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is languishing in custody since
05.12.2018 in connection with Jadia P.S. Case No.93 of 2018
registered for the offences punishable under Sections 147, 149, 341,
323, 307, 302, 379, 504 of the Indian Penal Code.

Prosecution case as per the written report of Sanjay Kumar
submitted to S.H.O. Jadia P.S. is to the effect that on 30.05.2018 at
10.30 P.M., the informant came back to home after work, when five
FIR named accused persons including the petitioner came and started
abusing and assaulted the petitioner with lathi and danda. It is
specifically alleged that petitioner assaulted with lathi on the
informant's head causing bleeding injury and when the father of the
informant came to rescue, then the accused persons assaulted and
abused him, as a result, he died. It is further alleged that co-accused,
Jai Prakash Yadav, took away a Samsung mobile phone from the



pocket of the informant.

It is submitted by learned counsel for the petitioner that the in the background of land dispute, the accusation has been levelled. The injury on the head of the informant has been found superficial, lacerated wound on right side, breakage of the head of simple in nature and apart from that only swelling on the right elbow and on right side of the back and all the injuries have been found simple in nature. The father of the informant who is alleged to have been assaulted by the petitioner was a patient and in the post-mortem report, only a bruise on the right side of the abdomen has been found and viscera report has been kept reserved. Co-accused Jai Prakash Yadav and Binod Yadav have been granted bail by a Co-ordinate Bench of this Court vide order dated 30.10.2018 and 19.09.2018 passed in Cr. Misc. No.72063 of 2018 and Cr. Misc. No.61024 of 2018 respectively.

Learned A.P.P. for the State has vehemently opposed the prayer of the bail and submits that the petitioner has been named in the F.I.R.

Considering the injury caused by the petitioner found simple in nature, viscera report of the victim has been kept reserved and investigation has already been concluded coupled with the fact that co-accused have already been granted bail by a coordinate Bench of this Court, let the above named petitioner be enlarged on



bail on furnishing bail bond of Rs.10000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-V, Supaul in connection with Jadia P.S. Case No.93 of 2018.

(Dinesh Kumar Singh, J)

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