

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20599 of 2019

Arising Out of PS. Case No.-26 Year-2018 Thana- ROHTAS District- Rohtas

Kamlesh Yadav Son of Nathu Yadav Resident of Village- Baknaura, P.S.-
Rohtas, District- Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Babu Nandan Prasad
For the Opposite Party/s : Mr.Ramchandra Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 03-04-2019 Heard both sides.

The petitioner apprehends his arrest in Rohtas P.S.
Case No.26 of 2018 registered under Sections 147, 148, 149,
323, 307, 294, 337, 338, 427, 295 and 353 of the Indian Penal
Code.

The informant alleged that while he was preparing for
immersion of idols of goddess Sarswati the other groups of
village surrounded him and one Ramji Yadav assaulted the
informant with stick on his head. Mahendra assaulted Deepak,
Hira Yadav, Upendra Yadav and Birendra Yadav. The women
were pelting stones from their roofs.

Learned counsel for the petitioner submits that the
petitioner is named at serial no.6 in the accused column but the
informant did not make any specific allegation of assault against



the petitioner. The groups of some village were quarreling with each other for immersion of idol of goddess Sarswati. Similarly situated other accused persons have been granted bail vide order passed in Cr. Misc. No.56532 of 2018, Cr. Misc. No.60 of 2019. The case of the petitioner stands on better footing.

Having considered the facts aforesaid and the nature of allegation made against the petitioner and the fact that no specific allegation is made against the petitioner, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-cum-Munsif, Dehri, Rohtas in connection with Rohtas P.S. Case No.26 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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