

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60111 of 2019

Arising Out of PS. Case No.-170 Year-2019 Thana- RAJAOLI District- Nawada

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DINESH YADAV, aged about 40 years (Male), Son of Mauji Yadav, Resident of Village - Simarkol, P.S.- Rajauli, District- Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Sheo Kumar Prasad, Advocate.
For the Opposite Party : Mr.Bal Mukund Prasad Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 22-10-2019 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in a case for the offence registered under Sections 341, 323, 324, 307, 379, 354(B)/34 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that the informant had given Rs. 1,70,000/- for purchase of a Truck to his uncle Dinesh Yadav. He demanded his money from his uncle for several times. For that on 18.05.2019 in the night, his uncle and his family members entered into the house of the informant and took his son Piyush Kumar and Dinesh Yadav assaulted with Tangi on his head. When the wife of the informant came to



rescue, co-accused Bholi Yadav fired with pistol. Birendra Yadav, Munna Yadav and other accused persons also entered into his house and took Silver Payal, gold ear-ring and cash of Rs. 50,000/-. Co-accused Prince Yadav torn the blouse of the wife of the informant and co-accused Munna Yadav opened her Saree.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 08.07.2019. The petitioner has got no criminal antecedent. The petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. There is case and counter case between the parties. Both parties are agnates. Free fight is alleged to have taken place between the parties. Injury on the accused side has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of



the like amount each to the satisfaction of the learned C.J.M.
Nawada, in connection with Rajauli P.S. Case No. 170 of 2019.

(Sudhir Singh, J)

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