

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68967 of 2019

Arising Out of PS. Case No.-248 Year-2019 Thana- KOILWAR District- Bhojpur

SADHU YADAV @ SADHU RAI, aged about 60 years, Male, Son of Late Rajendra Rai, Resident of Village - Panchrukha Kala, P.S.- Koilwar, Distt.- Bhojpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Anil Kumar, Advocate.

For the Opposite Party : Mr.Navin Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-11-2019 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, 307 and 504/34 of the IPC.

The prosecution story, in brief, is that on the alleged date and time of occurrence, while the informant alongwith his brother was unloading brick from his Tractor at his ancestors land, meanwhile, all the accused persons came armed with weapons and surrounded him and started abusing and attacked him and Sadhu Rai (petitioner) assaulted him with Lathi on his head causing injury and Sobha Devi assaulted on head by a rod by back side and Nandani Kumari assaulted at neck causing injury at the ear and thereafter Dhanji Rai also assaulted him



due to which he became unconscious and was admitted to P.H.C. Koilwar and when gained conscious at P.H.C. Koilwar he was told by his brother Jitendra that his brother was also assaulted by Mahesh Rai, Laxman Rai, Malik Rai and Sunita Devi causing injury and looking to the seriousness the informant and his brother, they were referred to P.M.C.H., Patna, in Emergency Ward hence, the present case.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 01.09.2019. 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. 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.
Bhojpur, at Ara, in connection with Koilwar P.S. Case No. 248
of 2019.

(Sudhir Singh, J)

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