

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18894 of 2020

Arising Out of PS. Case No.-265 Year-2019 Thana- MAJHAULIA District- West Champaran

BRIJESH YADAV Son of Ramgola Yadav @ Ramgole Yadav Resident of
Village-Bharechak, P.S.-Majhauilya, District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 17-09-2020 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

Since the physical court proceeding is non-functional, due to present pandemic, COVID-19, the matter is listed with defects.

Learned counsel for the petitioner undertakes to remove the defects within three weeks of resumption of physical court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Section 302/34 of the Indian Penal Code.

As per the prosecution case, while the informant along



with his father was sitting at his door, his patidar Nagendra Yadav and Jitendra Yadav came. After hearing noise, the informant came to door, thereupon Nagendra Yadav, Jitendra Yadav, Brijesh Yadav, Sanjay Yadav, Doma Yadav, Ajay Yadav, Vishal Yadav, Prateek Yadav, Meera Devi and Shanti Devi started abusing him and his father. Meanwhile, accused Brijesh Yadav ordered to kill his father, upon that Nagendra Yadav and Jitendra Yadav suddenly caught his father and they started thrashing him by fists and slaps sustaining injury on his head and left elbow. The father of the informant became unconscious and he was brought to M.J.K. Hospital, Bettiah where he declared brought dead. When informant rushed to rescue his father he was also assaulted by all the accused persons.

It is submitted by learned counsel for the petitioner that the petitioner has committed no offence and has no concern with the aforesaid occurrence. He has been falsely implicated in this case due to land dispute. No incriminating article has been recovered from his conscious physical possession. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Co-accused, namely, Sanjay Yadav has been enlarged on bail by a co-ordinate bench of this court vide order dated 09.01.2020 passed in Cr. Misc. No.



63897 of 2019. The petitioner has no criminal antecedent and has been languishing in custody since 06.07.2019.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, West Champaran at Bettiah in connection with Majhauriya P.S. Case No.265 of 2019.

(Anjani Kumar Sharan, J)

Trivedi/-

U		T	
---	--	---	--

