

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11966 of 2021

Arising Out of PS. Case No.-77 Year-2020 Thana- MARAUNA District- Supaul

Raj Kumar Yadav Son of Late Neshi Yadav Resident of Village - Teterahi,
P.S.- Marauna, Distt.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 27-09-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the
offences punishable under Sections 147/148/149/341/ 323 /326 /
307/302/504/506 of the Indian Penal Code.

There is general and omnibus allegation of assault
against 11 named and 4 to 5 unknown persons, with lathi, danda,
dagger and knife. Specific allegation against the petitioner is of
commission of injury with dagger at the forehead and back of
the deceased. The doctor has found single penetrating wound
over back near right scapular region.

On the basis of medical report submission is that the
informant is not an eyewitness of the occurrence and false
allegation is there due to land dispute. The petitioner is in



custody since 20.06.2020.

Learned counsel for the informant opposed the prayer on the ground that the allegation of commission of assault to the deceased is against the petitioner and co-accused. The doctor has found sharp penetrating wound over back near left scapular region in between scapular and thoracic cavity besides the laceration over the scalp. This was attributed against the petitioner.

Considering the nature of allegation against the petitioner and the fact that the petitioner is in jail since 20.06.2020 and there is no material that petitioner is going to tamper with the evidence, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with S.Tr. No.159/2020, Marauna P.S. Case No. 77 of 2020 with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.



(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

Mkr./-

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