

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15227 of 2021

Arising Out of PS. Case No.-206 Year-2019 Thana- DINARA District- Rohtas

AJAY YADAV SON OF LATE RAMNATH SINGH R/o village- Khalsapur,
P.S.- Dinara, District- Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Kumar

For the Opposite Party/s : Mrs.Renuka Ratnakar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-07-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal 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 connection with Dinara P.S. Case No.206 of 2019 registered for the offence punishable under Sections 147, 148, 149, 323, 307, 504, 506 of the Indian Penal Code, 1860 and section 27 of the Arms Act.

Allegation against the petitioner is that on 27.7.2019, the accused persons including the petitioner entered into the house of the informant abusing and firing with fire arm and during that



he hit on the head of the nephew of the informant with 'farsa'. It is further alleged that when his father came to rescue him, the accused persons also assaulted him.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence as alleged in the FIR. No offence as alleged has ever took place. He has been falsely implicated in this case due to land dispute. There is a case and counter-case between the parties and both sides have sustained injuries. The prosecution party is the aggressor of the scuffle. There is general and omnibus allegation against the petitioner. The doctor has not given any observation in the injury report as to whether the injury is simple or grievous in nature. Similarly situated co-accused namely Ashok Yadav, Sushil Yadav @Sushil Yadav @Sushil Kumar Singh and Awadhesh Yadav @ Ram Awadhesh Singh have been granted bail vide Cr. Misc. No.76993 of 2019 dated 20.01.2020 by a co-ordinate Bench of this court. The petitioner has no criminal antecedent and has been languishing in custody since 02.11.2020.

Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of this case, since there is a case and counter-case between the parties and



both sides have sustained injuries, 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 A.C.J.M.- IIIrd, Bikramganj, Rohtas, in connection with Dinara P.S. Case No.206 of 2019.

(Anjani Kumar Sharan, J)

pallavi/-

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

