

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22387 of 2021

Arising Out of PS. Case No.-58 Year-2020 Thana- SAHARGHAT District- Madhubani

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RAM SEWAK YADAV SON OF LATE ASHARFI YADAV R/O VILLAGE-
BASHBARIYA, P.S.- SAHARGHAT, DISTRICT- MADHUBANI.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Adv.
	:	Mr. Udbhay, Adv.
For the Opposite Party/s	:	Mr. Binod Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 16-11-2021 Heard Mr. Ajay Kumar Thakur, learned counsel for the

petitioner and Mr. Shakti Suman Kumar, learned counsel for the

informant as well as Mr. Binod Kumar, learned A.P.P. for the State

The petitioner seeks bail in connection with Saharghat

P.S. Case No. 58 of 2020 registered for the offence under Sections

341, 323, 307, 354, 379, 504, 506 and 34 of the Indian Penal

Code.

The petitioner along with others are said to have

assaulted the victim and her family members by means of lathi,

danda and iron rod.

Learned counsel appearing for the petitioner submits

that the petitioner is innocent and has falsely been implicated in

this case. In fact, there is land dispute between the parties and on

account of the same, this petitioner has falsely been implicated in



this case. As a matter of fact, no occurrence as alleged in the F.I.R. has taken place nor any independent witness has come forward to support the prosecution version. Apart from that, co-accused, namely, Meera Devi and Ishwar Yadav @ Kishardeo Yadav having more or less similar allegations have already been granted regular bail by a co-ordinate Bench of this Court vide order dated 31.08.2021 and 26.10.2021 passed in Cr. Misc. No. 22042 of 2021 and Cr. Misc. No. 21531 of 2021, respectively, whereas the petitioner is rotting in judicial custody since 19.09.2020. Hence, the petitioner may be enlarged on regular bail.

Learned counsel for the informant has, vehemently, opposed the prayer for bail of the petitioner. He submits that the petitioner happens to be order giver in this case.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Benipatti in connection with Saharghat P.S. Case No. 58 of 2020.

(Rajesh Kumar Verma, J)

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