

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28111 of 2021**

Arising Out of PS. Case No.-44 Year-2020 Thana- NADI NAINAHA District- West
Champanan

SUBHASH YADAV S/o Tufani Yadav R/o village- Bagahwa, P.S.- Dhanaha,
District- West Champanan

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar, Advocate
For the Opposite Party/s : Ms. Anita Kumari Singh, APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 07-12-2021 Heard the learned counsel for the petitioner and
Ms. Anita Kumari Singh, the learned APP for the State.

The petitioner seeks regular bail in connection with
Nadi PS case no. 44 of 2020 instituted for the offences punishable
under Section 307 and other allied sections of Indian Penal Code.

The allegation is regarding the accused persons
including the petitioner herein having assaulted the victim while he
was sleeping in the field, resulting in him sustaining injuries.

The learned counsel for the petitioner has submitted
that the petitioner is innocent and has been falsely implicated in the
present case. It is also submitted that a general and omnibus
allegation has been levelled against all the accused persons including
the petitioner and as far as the petitioner is concerned, there is no
allegation of him having engaged in any sort of overt act. It is further



submitted that similarly situated co-accused persons have already been granted bail by a co-ordinate Bench of this Court vide orders dated 11.08.2021 and 26.08.2021 passed in Cr. Misc. no. 13697 of 2021 and Cr. Misc. no. 7930 of 2021, respectively. Lastly, it is submitted that the petitioner is languishing in custody since 24.12.2020.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the parity of the case of the petitioner to that of the co-accused persons who have already been granted bail by a co-ordinate Bench of this Court, I deem it fit and proper to admit the petitioner to the privilege of bail. Accordingly the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of A.C.J.M. 3rd, Bagaha, West Champaran in connection with Nadi PS case no. 44 of 2020.

(Mohit Kumar Shah, J)

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