

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30647 of 2021

Arising Out of PS. Case No.-69 Year-2020 Thana- MARAUNA District- Supaul

RAMNATH YADAV S/o Late Nageshwar Yadav R/o village- Saroja Bela
(Simraha), P.S.- Marouna, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Hriday Narayan Harshit, Advocate
For the informant	:	Mr. Suraj Kumar, Advocate
For the State	:	Mr. Ramchandra Sahni, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 09-12-2021 Heard Mr. Hriday Narayan Harshit, learned counsel
for the petitioner, Mr. Suraj Kumar, learned counsel for the
informant and Mr. Ramchandra Sahni, learned Additional Public
Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with
Marouna P.S. Case No. 69 of 2020 registered for the offences
punishable under Sections 147, 149, 341, 323, 307, 379, 447,
354, 504 and 506 of the Indian Penal Code 1860.

The allegation as per the First Information Report is
that the petitioner along with other accused persons assaulted
the nephew of the informant by means of *Khanti*, *Farsa* etc. and
the petitioner allegedly assaulted the nephew of the informant
on his head.



Learned counsel for the petitioner submits that the petitioner is the own brother of the informant. There is family dispute between them and the present First Information Report has been lodged with concocted story after a delay of about seven days inasmuch as the occurrence has allegedly taken place on 26.5.2020, but the written report has been lodged on 2.6.2020, in which an injury report allegedly issued by the PMCH has been attached. Learned counsel further submits that the petitioner is in custody since 14.1.2021 having no criminal antecedent.

On the other hand, learned counsel for the informant submits that there is specific allegation of assault by means of *Khanti* upon the petitioner and injury report collected by the informant from the PMCH, in absence of any injury report collected by the Police, shows that the injury caused to the informant's nephew is grievous in nature.

Regards being had to the submission made by the parties and taking into consideration the materials on record and the fact that both the parties are closely related and there is land dispute between them, the petitioner is in custody since 14.1.2021 having no criminal antecedent and charge sheet has already been submitted, I am inclined to grant regular bail to the



petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Supaul, Distt. Supaul, in connection with Marouna P.S. Case No. 69 of 2020.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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