

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4736 of 2021**

Arising Out of PS. Case No.-75 Year-2020 Thana- HASANPUR District- Samastipur

UPENDRA YADAV @ UPENDAR YADAV S/o Batahu Yadav R/o village-
Kale Narpat Nagar, P.S.- Hasanpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate.

For the Opposite Party/s : Smt. Sangita Sharma, APP.

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 05-04-2021 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 Hasanpur P.S. Case No. 75 of 2020 registered for the offence punishable under Sections 147, 307, 323, 324, 34, 341, 354, 379, 447, 504, 506 of the Indian Penal Code.

The prosecution story in short is that, on 13.04.2020 at about 3.30 pm the informant and his family members were assaulted and looted by means of farsa, lathi and danda by



petitioners and other accused persons.

It is submitted by learned counsel for the petitioner that petitioner has falsely been implicated in this case and there is a case and counter case between the parties. Due to land dispute some altercation took place between the petitioner's side and the informant side and in course of altercation one Sharwan Kumar Yadav fact down on brick and sustained some injury and due to this petitioner's side also sustained injury. Learned counsel for the petitioner submits that there is a Title Suit bearing No. 09 of 2013 which is pending in the Court of Munsif Rosera in between the parties.

Learned counsel for the petitioner further submits that He is quite innocent and has been falsely implicated in this case. No incriminating article has been recovered from his conscious physical possession and no such type of occurrence took place as narrated in the F.I.R. by the informant. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has no criminal antecedent as mentioned in Para 3 of the bail application and has been languishing in custody since 05.06.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named



petitioner is directed to be enlarged on bail and 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 court below where the case is pending in connection with Hasanpur P.S. Case No. 75 of 2020.

(Anjani Kumar Sharan, J)

GAURAV S./-

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