

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35393 of 2020

Arising Out of PS. Case No.-23 Year-2020 Thana- JAMHOR District- Aurangabad

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YAMUNA SINGH @ YAMUNA YADAV @ JAMUNA SINGH Son of
Rampravesh Yadav Resident of Village - Ratnaur, P.S.- Jamhore, District -
Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Pd. Singh, Sr. Adv.

Mr. Bhaskar Shankar, Adv.

For the Opposite Party/s : Mrs. Pushpa Sinha-1, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 30-01-2021 Heard Mr. Krishna Pd. Singh, learned senior

counsel for the petitioner and Mrs. Pushpa Sinha-1, Additional

Public Prosecutor for the State.

2. Petitioner seeks regular bail in connection with
Jamhore PS Case No. 23/2020 registered for the offence
punishable under Sections 302, 307, 341, 323, 147, 148, 149 of
the IPC and 27 of the Arms Act.

3. The allegation, as per First Information Report, is
that the petitioner along with other accused persons, 14 in
numbers, assaulted brother of the informant by means of Lathi,
Danda, iron rod, Farsa, sword and pistol butt. The allegation
against the petitioner is that he assaulted the deceased by means
of Farsa on his head and legs.

4. Learned senior counsel for the petitioner submits



that the petitioner has falsely been implicated in this case due to land dispute between the parties. Learned counsel further submits that both the parties are co-villagers and the allegation in the First Information Report is that altogether 14 persons assaulted the deceased by means of various weapons.

5. Learned counsel next submits that specific allegation against the petitioner is that he assaulted the deceased by means of Farsa which is a sharp cutting weapon whereas from perusal of the postmortem report, it would be evident that the injury caused to the deceased is due to hard blunt substance and the cause of death is excessive haemorrhage and shock resulting due to CR failure caused by hard and blunt substance.

6. Learned counsel further submits that petitioner has got no criminal antecedent and he is in custody since 17.04.2020. It is next submitted on behalf of the petitioner that the charge-sheet has already been submitted in this case and there is no likelihood that the petitioner will abscond or tamper with the evidence if he is released on bail.

7. Having regard to the submissions made by the parties and taking into consideration the material on record, nature of allegation, and the fact that both the parties are co-villagers and charge-sheet has already been submitted in this



case and there is no likelihood that the petitioner will abscond or tamper with the evidence, I am inclined to grant regular bail to the petitioner.

8. Accordingly, let the petitioner, YAMUNA SINGH @ YAMUNA YADAV @ JAMUNA SINGH 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 Chief Judicial Magistrate, Aurangabad in connection with Jamhore PS Case No. 23/2020.

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

(Anil Kumar Sinha, J)

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