

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49874 of 2021

Arising Out of PS. Case No.-77 Year-2020 Thana- MARAUNA District- Supaul

=====

Raja @ Sudhir Kumar Yadav S/O Raj Kumar Yadav R/o village- Tetarahi @
Tetiriyahi, P.S.- Marauna, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Nagendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-12-2021 The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of Covid 19 pandemic, requiring social distancing.

Heard learned counsel for the petitioner Mr. Nagendra Kumar Singh and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Marauna P.S. Case No. 77 of 2020 instituted for the offences under Sections 147, 148, 149, 341, 323, 326, 307, 302, 504, 506 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is in custody since 23.01.2021, is a person with clean antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that from



perusal of the allegation has alleged that it would manifest that there is specific allegation against Raj Kumar Yadav of assaulting the deceased but as far as this petitioner is concerned against him it is alleged that he assaulted the informant on his shoulder and hand by a sharp edge weapon.

Learned counsel for the petitioner submits that from perusal of the injury report of the informant at Annexure 3, it would manifest that the injury on the informant is found to be quashed by hard and blunt. As such prima facie, the allegation as alleged in the FIR of assault by this petitioner on the informant by a sharp edged weapon stand falsified. The learned counsel further submits that Raj Kumar Yadav who is alleged to be assailed of the deceased has been granted bail by the order dated 27.09.2021 in Criminal Miscellaneous 11966 of 2021.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 23.01.2021, charge-sheet has been submitted in the case, the petitioner is a person with clean antecedent and the injury report of the informant does not corroborate with the allegation as alleged in the FIR, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten



Thousand only) with two sureties of the like amount each to the satisfaction of learned A.D.J.-IV, Supaul in connection with S.T. No. 122 of 2021 corresponding to Marauna P.S. case No. 77 of 2020 subject to the condition as laid down under Section 437 (3) Cr.P.C.

(Satyavrat Verma, J)

Gaurav Kumar/-

U		T	
---	--	---	--

