

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40191 of 2020

Arising Out of PS. Case No.-382 Year-2020 Thana- KAHALGAON District- Bhagalpur

DINESH YADAV Son of Late Bindeshwari Yadav Resident of Village-
Banshipur, P.S.- Kahalgaon, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh, Adv

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 20-02-2021 Heard Mr. Viveka Nandsingh, learned counsel for
the petitioner and Mr. Yogendra Kumar Singh, Additional Public
Prosecutor for the State.

Petitioner seeks regular bail in connection with
Kahalgaon PS Case No. 382/2020 registered for the offence
punishable under Sections 302, 323/34 of the IPC.

The allegation, as per First Information Report, is that
when the informant along with his mother, wife was planting
paddy seeds, petitioner along with others arrived there in the
field and assaulted the mother of the informant by means of
Khanti on her head.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case and he has not
committed any offence in the manner alleged. Learned counsel
next submits that both the parties are co-villagers and there is a
land dispute between them. Learned counsel further submits
that there is a case and counter case between the parties for the
incident which has taken place on the same date and time



inasmuch as Kahalgaon PS Case No. 383/2020 was lodged by the petitioner against the informant and others.

Learned counsel referring to postmortem report (Annexure-2) submits that the deceased, mother of informant, as per the opinion of the doctor, had died natural death due to her heart disease. Learned counsel further submits that the petitioner is in custody since 26.06.2020.

Having regard to the submissions made by the parties and taking into consideration the material on record and nature of allegation and postmortem report, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, DINESH YADAV 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, Bhagalpur in connection with Kahalgaon PS Case No. 382/2020.

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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