

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65640 of 2021

Arising Out of PS. Case No.-55 Year-2021 Thana- TEKARI District- Gaya

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1. ASHOK KUMAR S/O GULCHAND YADAV R/o village- Panchmahalla,
P.S.- Tekari, District- Gaya
 2. Kundan Yadav S/o Hira Yadav @ Heera Yadav R/o village- Kashi Bigha,
P.S.- Tekari, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manish Kumar No.2, Adv.
For the State	:	Mr. Rajendra Prasad Nat, APP
For the Informant	:	Mr. Sanjeev Kumar Jha, Adv.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 23-12-2021 Heard learned counsel for the parties.

The petitioners have preferred this application for grant of regular bail in a case registered under section 307 and other sections of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, about two dozen accused persons are stated to have assaulted the informant leading to serious injuries.

It is submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in the case. Even accepting the allegations in the F.I.R. to be true for the sake of argument, it is submitted that allegations are



general ad omnibus in nature. From the injury report of the informant which has been brought on record as Annexure-2 to the petition, the same does not support the allegations in the F.I.R. The petitioners are in custody since 18.8.2021 and chargesheet has been submitted in the case.

The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that not only the petitioners are named in the F.I.R. but there is direct allegation against them of having brutally assaulted the informant which is supported from the contents of the injury report. Learned counsel further takes the Court through the order of the learned court below to mention that initially the petitioners had suppressed the material facts with respect to their antecedent which was later brought to the notice of the Court and the learned court below thereafter proceeded to reject the application for bail under section 439 of the Code of Criminal Procedure.

Having heard learned counsel for the parties and taking into consideration the facts of the case including the submissions made on behalf of the petitioners, the Court directs the petitioners to be enlarged on bail in connection with Tekari



P.S. Case no.55 of 2021 on each of them furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Gaya.

(Partha Sarthy, J)

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