

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2842 of 2022

Arising Out of PS. Case No.-44 Year-2020 Thana- NADI NAINAHA District- West
Champaran

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AMARESH YADAV @ UMARESH YADAV @ UMESH YADAV Son of
Tufani Yadav Resident of Village - Bagahawa, P.S. - Dhanha, District - West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Milind Kumar Mishra

For the Opposite Party/s : Mr. Arun Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 15-06-2022 Let the defect(s), as pointed out by the office, be

removed within a period of four weeks from today.

Heard learned counsel for the petitioner and learned

APP for the state.

The petitioner seeks regular bail in connection with

Nadi P.S. Case No. 44 of 2020, registered for the offences

punishable under Sections 147, 148, 341, 323, 324, 325, 307,

379, 427, 504, 506, 34 of the Indian Penal Code.

As per prosecution case, it is stated that the twelve

named accused persons including the petitioner herein variously

armed with *lathi*, spear etc. assaulted Devta Yadav causing

grievous injuries.

Learned counsel for the petitioner has submitted that



petitioner has falsely been implicated in this case. It is submitted that petitioner and informant are co-villagers. There is no specific allegation against present petitioner. It is apparent the dispute has arisen in course of asserting rights to certain field between parties and the allegations are general and omnibus and co-accused Janardan Yadav, Subhash Yadav and Munshi Yadav have been granted bail vide Annexure-3 Series which is brought on record. Petitioner is in custody since 09.06.2021. Charge-Sheet has been submitted. There is no chance of tampering with the evidence. The petitioner bears no criminal antecedent.

The learned APP for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case and the period of custody for near about one year and materials available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate IIIrd, Bagaha, West Champaran, in connection with Nadi P.S. Case No. 44 of 2020, subject to following condition:

(i) One of the surety shall be either father or mother or sister or brother or wife or the person who sworn the affidavit in



bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates would be a ground for cancellation of bail by the learned trial court itself.

(Alok Kumar Pandey, J)

Ranjeet/-

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