

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10244 of 2022**

Arising Out of PS. Case No.-106 Year-2021 Thana- INDUSTRIAL District- Bhagalpur

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AJAY YADAV @ AJAY KUMAR Son of Nandu Yadav @ Nand Kishore
Yadav Resident of Village - Math Tola Babupur, P.s.- Sabour, Dsitt.-
Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pravin Kumar Sinha

For the Opposite Party/s : Mr.Md. Ataur Rahman

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**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER**

2 07-07-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for

the offence punishable under Sections 302, 147, 149 of the

Indian Penal Code.

Allegedly, this petitioner and co-accused persons

came at the shop of informant's father and assaulted the

informant and others, in the meantime, informant's father

intervened and he was also assaulted by co-accused Amar Yadav

on his head as a result of which he became unconscious and

died during course of treatment.



The main submissions advanced by the learned counsel for the petitioner are that there is no specific allegation against the petitioner, allegation against the petitioner is general and omnibus, he has been languishing in jail since 20.8.2021, petitioner took the plea of juvenility before the Juvenile Justice Board where his statement was recorded in which he categorically denied the allegation made against him in the FIR. Further submission is that the petitioner is student and presently his health condition is not good and he is suffering from liver disease.

Learned APP opposes the prayer for bail.

Having regard to the facts and circumstances of the case as well as considered the aforesaid submissions and mainly the fact that a dispute having taken place between accused persons and the informant with regard to playing cricket is stated to be genesis of the occurrence and on account of said dispute accused persons including the petitioner arrived at the shop of informant's father and thereafter alleged occurrence of abusing and assaulting took place and against the petitioner, there is no specific allegation and also considered the fact that the petitioner is young boy and student of BA Part I as mentioned in his petition, in my view, a lenient approach may be



taken in respect of the petitioner. Let the petitioner 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 the Addl. Sessions Judge I, Bhagalpur in Special Case (CH) 24 of 2021 arising out of Industrial Area P.S Case No. 106 of 2021.

(Shailendra Singh, J)

s.hassan/-

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