

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13220 of 2022

Arising Out of PS. Case No.-449 Year-2021 Thana- CHHATAUNI District- East Champaran

Sanjay Yadav S/o Late Kausal Kishore Yadav Resident of Village- Belwa
Ghat, P.S.- Piprahi, District- Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jainendra Kumar Pushkar, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, A.P.P

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 03-08-2022 Hard copy of the supplementary affidavit filed on
behalf of the petitioner in Court.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks from today.

The petitioner seeks bail in connection with a case
registered for the offence punishable under Sections 302, 324,
307, 120(B) and 34 of the Indian Penal Code.

The prosecution case, in short, is that on 01.12.2021,
the informant along with his two sons had participated in the
marriage of Rupesh Kumar Yadav with Reema Kumari from
side of bridegroom Rupesh Kumar Yadav and when the Barat
Party was passing through NH-28 in front of Homeopathic



College, where the uncle Sanjay Yadav (petitioner) of Rupesh Kumar Yadav had called some persons for dance purpose and in the meantime, some disputes arose there and started assaulting with knife in which, his son Sidharath Kumar (deceased) and other village persons Rakesh Kumar Yadav, Pramjeet Yadav, Rajesh Kumar received injuries thereafter, they were admitted in Rahamaniya Medical Centre, where the informant's son Sidharath died during the treatment. It is further alleged that the total responsibility of the occurrence is over Sanjay Yadav in which the brother of Sanjay Yadav was also injured. The informant has further alleged in the F.I.R that due to dispute with his relatives, the father Jitendra Kumar of bridegroom and Sanjay Kumar have committed this incident with criminal conspiracy.

Learned counsel for the petitioner submits that petitioner is innocent and he has been falsely implicated in this case. It is further submitted that there is no allegation against the petitioner regarding assault by knife and his name transpired in this case on the basis of suspicion. Further, it is submitted that petitioner has no concern with regard to the said occurrence and he was not present at the place of occurrence. The petitioner is in custody since 01.12.2021, is a person with clean antecedent



and charge-sheet has been submitted in the case.

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

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) only with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-10, East Champaran at Motihari in connection with Chhatauni P.S. Case No. 449 of 2021 (Sessions Trial No. 459 of 2022).

(Khatim Reza, J)

Gaurav Kumar/-

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