

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.23253 of 2022**

Arising Out of PS. Case No.-54 Year-2021 Thana- PALI District- Jehanabad

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Baidnath Yadav Son of Satendra Yadav Resident of Village - Sakrausha Tola,  
Tilak Bigha, P.s.- Ghoshi (Okri), Distt.- Jehanabad.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Shashi Bhushan Kumar, Advocate.

For the Opposite Party/s : Mr. Umanath Mishra, APP.

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**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**

ORAL ORDER

2      27-07-2022                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner seeks regular bail in connection with  
Pali P.S. Case No. 54 of 2021 lodged under Sections 147, 341,  
323, 307, 325, 379, 504, 506 of the Indian Penal Code.

The prosecution case is that, the informant Binay  
Bind has lodged the present F.I.R. before the police on  
17.10.2021 for the occurrence takes place at about 03.05 p.m.  
on 15.10.2021. It has been alleged that when informant was  
sitting at his house then about 15 persons attacked with arms at  
the house of the informant and started abusing. Upon request  
not to abuse allegation was made on Ramashish Yadav to attack  
on the head of the informant which resulted into bleeding.  
Thereafter, allegation is upon the three other persons including

the present petitioner to assault the informant by lathi danda, during this event Sushila Devi visited the spot alongwith other relatives with a view to save the persons in which Sushila Devi also got injured. The injured Sushila Devi was referred to PMCH for treatment.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence, whatever allegation made in the F.I.R. is general and omnibus in nature. It has been further submitted by the learned counsel for the petitioner that there is a specific allegation upon the Ramashish Yadav to attack by iron rod on the head of the informant but upon other accused persons there are general and omnibus allegation. He further submits that injury report is annexed as Annexure No.2 and both the injuries are simple as identified by the doctor. He further informed that there is a case and counter case relating to the same place and time of event, the petitioner's side has lodged an F.I.R. bearing Pali P.S. Case No. 52 of 2021 lodged on 17.10.2021 under Sections 147, 341, 323, 354A, 379, 504, 506 of I.P.C. He further submits that petitioner is in custody since 15.02.2022.

Learned counsel for the State opposes the prayer for bail.

Considering the facts and circumstances of this and the submissions made above that there is case and counter case for the same date and time of occurrence and also that there is no specific and direct allegation, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Jehanabad in connection with Pali P.S. Case No. 54 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. and one of the bailor shall be close relative of the petitioner.

The petitioner is directed to appear on each and every date before the Trial Court, in case of non-appearance for two consecutive dates, shall resulted into cancellation of his bail bond. If he shall involve in such type of activities again, the prosecution shall be at liberty to move for cancellation of his bail bond.

With this observation, the bail application stands allowed.

**(Dr. Anshuman, J.)**

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