

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23736 of 2022

Arising Out of PS. Case No.-57 Year-2020 Thana- KHUDAGANJ District- Nalanda

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Fagu Yadav Son Of Mahavir Yadav R/O Village- Birju Bigha, P.S.-
Khudaganj, District- Nalanda (BIHAR)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amrendra Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 29-07-2022 Let the defect, if any, be removed within two weeks
from today.

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

The petitioner seeks regular bail in connection with
Khudaganj P.S. Case No. 57 of 2020 lodged under Sections 341,
323, 324, 326, 379, 307, 504 and 34 of the Indian Penal Code
read with Section 27 of the Arms Act.

The prosecution story is that, the informant Usha Devi
has narrated that on 22.05.2020 Fagu Yadav (the petitioner)
entered in her house and attacked on her husband in intoxicating
state. It has been further stated that all family members of
petitioner with lathi, danda, pasuli, garasah and pistol etc., had
also assaulted the family members of the informant. Allegation

on Fagu Yadav is to attack on the informant's husband by Gadasa.

Learned counsel for the petitioner submits that the present F.I.R. in which he is seeking bail is Khudaganj P.S. Case No. 57 of 2020 whereas for the same date and time of the alleged occurrence the petitioner side had also filed Khudaganj P.S. Case No. 56 of 2020. It has been stated that both the sides are agnates and coparcener. It has been further alleged that as per Khudaganj P.S. Case No. 56 of 2020 Fagu Yadav and others were injured which is Annexure-4 whereas as per the Khudaganj P.S. Case No. 57 of 2020 the husband of the informant become injured. The injury report of the informant's husband is attached as Annexure-3 in which it was found that the wound is lacerated in nature and the injuries are simple. It has been further stated that the petitioner is in custody since 22.02.2022 having clean antecedent.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, 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. Hilsa (Nalanda) in connection with Khudaganj P.S. Case No. 57 of 2020, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed and shall support in trial, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of his bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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