

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32236 of 2021

Arising Out of PS. Case No.-11 Year-2018 Thana- SIGAUDI District- Patna

SUNIL YADAV S/O LATE SHEOTAHAL YADAV R/o village- Gowari, P.S.-
Sigori, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parshuram Singh, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 29-03-2022 Heard Mr. Parshuram Singh, learned counsel for the

petitioner and Mr. Uday Pratap Singh, learned Additional Public

Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with Sigori
P.S. Case No. 11 of 2018 registered for the offences punishable
under Sections 147, 148, 149, 341, 323, 379, 307, 302 and 504
of the Indian Penal Code 1860.

The allegation, as per the First Information Report, is
that while PCC road was being constructed in the village near
the house of the informant, the named accused persons arrived
there and directed the Contractor to construct the PCC road
passing through the line near the wall of the house of the
informant, and upon protest being made by the informant, the
accused persons started assaulting the family members of the



informant and committed loot also. It has further been alleged that the petitioner resorted to firing, due to which, Sudeshwar Yadav sustained firearm injury and, thereafter, the petitioner caught hold of brother of the informant namely, Rambhawan Yadav, and his wife assaulted him by means of *Dabia* (a sharp cutting weapon), due to which, he died in the hospital.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and he has not committed any offence in the manner alleged. He further submits that fact of the matter is that the person who has allegedly sustained firearm injury due to firing made by the petitioner is his own brother, for which, a First Information Report bearing Sigori P.S. Case No.10/2018 has been lodged by the daughter-in-law of his brother Sudeshwar Yadav alleging therein that one Dhos Yadav fired upon the brother of the informant Sudeshwar Yadav. He further submits that there is no allegation that the petitioner is the assailant of the brother of the informant and only allegation is that he caught hold of the deceased. The petitioner is in custody since 30.01.2021 having no criminal antecedent and charge sheet has already been submitted.

Regards being had to the submission made by the



parties and taking into consideration the materials on record, the fact that the petitioner is not the assailant and counter case has been lodged bearing Sigori P.S. Case No.10/2018, which is prior in time to the present First Information Report, the petitioner is in custody since 30.01.2021 and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-V, Danapur, in connection with Sigori P.S. Case No. 11 of 2018.

(Anil Kumar Sinha, J)

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