

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29528 of 2022

Arising Out of PS. Case No.-141 Year-2021 Thana- MOUZA HIDPUR District- Bhagalpur

Rajesh Yadav @ Darogi Yadav @ Rajesh Kumar Yadav Son of Tarni yadav @
Tarni Prasad Yadav Resident of Village - Sakrullachak, Police Station-
babarganj (Mojahidpur), District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Davendra Kumar Pandey, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 22-08-2022 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

learned APP for the State.

Petitioner seeks regular bail in connection with

Mojahidpur (Babarganj) P.S. Case No. 141 of 2021 registered

for the offences under Sections 147, 148, 341, 323, 332, 333,

353, 307, 337, 338 and 504 of the Indian Penal Code.

As per allegation, the police personnel went to arrest

co-accused Niru Yadav in connection with Babarganj

(Mojahidpur) P.S. Case No. 41 of 2021 and when the said co-

accused was surrounded by the police, the petitioner and other



co-accused persons obstructed the official duty of the police personnel and tried to get co-accused Niru Yadav released from the custody of the police and during that course this petitioner and co-accused persons committed Maar-Peet with the police personnel and petitioner allegedly attacked at the private part of some of the police personnel.

The main submissions advanced by learned counsel Mr. Davendra Kumar Pandey appearing for the petitioner are that the petitioner has got clean antecedent and has been languishing in jail since 14.02.2022 and the injuries of the police personnel who are stated to have been assaulted by this petitioner and co-accused persons, have been opined to be simple in nature and there is no independent witness of alleged occurrence and the investigation has been completed in respect of the petitioner. Further submission is that co-accused Niru Yadav @ Niraj Yadav has been granted regular bail by a co-ordinate bench of this Court vide order passed in Cr. Misc. No. 10639 of 2022.

Learned APP Mr. Anil Kumar Singh No. 1 appearing for the State has opposed the bail prayer.

In view of the above submissions and considering the petitioner's custody period and stage of petitioner's case which



is at initial stage of trial as appears from the order of trial Court and as per paragraph No. 11 of the petition, the police personnel who are stated to have been assaulted by this petitioner and co-accused persons have sustained simple injuries in the alleged occurrence, in my view a lenient approach can be taken in respect of petitioner's prayer 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 concerned Court in connection with Mojahidpur (Babarganj) P.S. Case No. 141 of 2021.

(Shailendra Singh, J.)

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