

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40394 of 2021**

Arising Out of PS. Case No.-706 Year-2020 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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BAMBAM YADAV S/o Ashok Yadav @ AShok Kumar Yadav Resident of
Village - Surkhikal, P.S.- Barari, District- Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tarun Prasad Mandal
For the Opposite Party/s : Mr. A. L. Pandit

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-01-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Kotwali (Tilkamanjhi) Police Station Case No. 706 of 2020,
registered for the offences punishable under Sections 307/379/
354-B/504/506 of the Indian Penal Code.

The prosecution case, as per the First Information
Report, is that the petitioner assaulted the wife and son of the
informant at his tea-stall and also outraged the modesty of the
wife of the informant by tearing her blouse.

Learned Counsel for the petitioner submits that the
petitioner has falsely been implicated in this case inasmuch as
the petitioner had gone to the tea-stall of the informant for a cup



of tea and due to the fact that he had kept the empty glass at the counter of the tea-stall, there was hot exchange of words between the informant and the petitioner and subsequently an scuffle took place. He further submits that the injuries sustained by the wife and son of the informant are simple in nature, as would be evident from injury reports, at Annexure-2 series and the allegation of outraging the modesty of the wife of the informant is ornamental one. He further submits that the petitioner is in custody since 18.11.2020 and charge sheet has been submitted against the petitioner and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that the injuries sustained by the injured are simple in nature, charge sheet has already been submitted and the petitioner is in custody since 18.11.2020 and the trial is not likely to be concluded in near future due to pandemic, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail



on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur, in connection with Kotwali (Tilkamanjhi) Police Station Case No. 706 of 2020.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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