

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31154 of 2022

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

JITENDRA YADAV @ GABBAR YADAV S/o Late Tarni Yadav Resident of
Village- Sakrullachak, P.S.- Babarganj, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Samir Kumar

For the Opposite Party/s : Ms.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 25-08-2022 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 co-accused allegedly attacked at the private part of some of the police personnel.

The main submissions advanced by learned counsel Mr. Samir Kumar appearing for the petitioner are that the petitioner has got clean antecedent and has been languishing in jail since 07.01.2022 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 coordinate bench of this Court vide order passed in Cr. Misc. No.10639 of 2022 and co-accused Rajesh Yadav has been granted bail by this court vide order passed in Cr. Misc. No.29528 of 2022 and petitioner's case stands on better footing as against him there is no specific allegation.

Learned APP Ms. Madhuri Lata 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, 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 the Chief Judicial Magistrate, Bhagalpur in connection with Mojahidpur (Babarganj) P.S. Case No. 141 of 2021.

(Shailendra Singh, J)

s.hassan/-

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