

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32531 of 2022

Arising Out of PS. Case No.-39 Year-2021 Thana- SULTANGANJ District- Bhagalpur

HIRAMAN YADAV S/o Late Shiv Sahi Yadav @ Shivshali Yadav Resident
of Village- Mirhatti, P.S.- Sultanganj, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Pravina Kumari
For the Opposite Party/s : Mr.Ramchandra Singh

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 29-08-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within one

month.

Petitioner seeks regular bail in a case registered for the

offence punishable under Section 302/34 of the Indian Penal Code.

Allegedly, on account of a dispute occurred due to

immersion of an idol accused persons including the petitioner

assaulted the informant's husband and other persons and in the

occurrence both sides sustained injuries.

The main submissions advanced by Ms. Pravina Kumari

the learned counsel appearing for the petitioner are that there is no

specific allegation against the petitioner, he has been languishing in

jail since 6.4.2022 and specific role of the petitioner in assaulting

husband of the informant has not been levelled by the informant and

several co-accused persons carrying similar nature of allegation have



been granted bail by different benches of this court and out of them copy of one order bearing Cr. Misc. no. 30157/2021 has been filed before this court as annexure 3.

Sri Ramchandra Singh, learned APP appearing for the State has opposed the prayer for bail.

Heard both sides and perused the FIR. FIR goes to show that on account of dispute of idol's immersion, persons from both sides assaulted each other and against the petitioner, there is no specific allegation and similarly situated co-accused has been granted bail by a coordinate bench of this court vide annexure 3. FIR has been registered against 13 persons, there is case and counter case between the parties vide mentioned in the petition.

Considering these facts, in the opinion of this court, a lenient approach can be taken in respect of the petitioner. 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 Addl. Chief Judicial Magistrate I, Bhagalpur in Sultanganj P.S Case No. 39 of 2021.

(Shailendra Singh, J)

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