

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41133 of 2022**

Arising Out of PS. Case No.-203 Year-2021 Thana- BENIPATTI District- Madhubani

RAHUL YADAV @ RAHUL KUMAR S/O BHORIL YADAV Resident of
Samda, P.S.- Benipatti, District- Madhubani (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jagdish Prasad Singh, Advocate.

For the Opposite Party/s : Mr. Ram Naresh Ray, APP.

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER**

2 07-11-2022 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 learned
APP for the state.

Petitioner seeks regular bail in connection with Benipatti
P.S Case No. 203 of 2021 registered for the offences punishable
under Sections 143, 341, 323, 324, 307, 379, 354(A), 504 and
506 of the Indian Penal Code.

As per the prosecution, the informant has alleged that
while he was sitting near a pond his co-villager Bhoril Yadav
came there and started saying that you people sit here for fishing
and pushed him in the pond and snatched his mobile and when
the incident was taken before the Panchayat he accepted the



decision of Panchayat but later on refused to obey it. Further it is alleged that this petitioner with fifteen other co-accused persons armed with weapons (Farsa, Dabiya etc.) arrived at the house of the informant and started abusing him, thereafter on command of Bhoril Yadav this petitioner and co-accused Sujit Yadav attacked on the informant's brother's head and injured him and when the informant came to safeguard his brother co-accused Bhoril Yadav injured him on his head by means of Tengari, thereafter the informant's family members were also assaulted by the accused persons and they also snatched some gold and silver articles.

The main submissions advanced by the learned counsel Mr. Jagdish Prasad Singh appearing for the petitioner are that the alleged offence of section 307 of the Indian Penal Code is not made out against the petitioner, and the injuries found on the person of the injured namely, Subodh Yadav are not corroborative to the nature of the allegation made against the petitioner in the FIR and the petitioner has clean antecedent and languishing in jail since 24.03.2022.

Mr. Ram Naresh Ray, learned APP appearing for the State has opposed the prayer for bail.

In view of the above submissions and mainly



considering the petitioner's clean antecedent and his young age mentioned in his petition and also the fact that as per the FIR the petitioner is alleged to have assaulted the informant's brother named Subodh Yadav by means of Farsa but the injuries found on the person of the said injured have been opined to be caused by hard and blunt object and the same has been opined to be simple in nature also, hence in my view, the petitioner deserves to a lenient approach of this Court, 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 Learned A.C.J.M 1st Benipatti at Madhubani in connection with Benipatti P.S. Case No. 203 of 2021.

(Shailendra Singh, J)

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