

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50990 of 2021

Arising Out of PS. Case No.-39 Year-2021 Thana- SUIYA District- Banka

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TINKU YADAV Son of Lalu Yadav Resident of Village - Tonapahar, P.S.-
Suiya, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 08-04-2022 Heard Mr. Praveen Kumar, learned counsel for the

petitioner and Mr. Yogendra Kumar, learned Additional Public

Prosecutor appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with Suiya
P.S. Case No. 39 of 2021 registered for the offences punishable
under Sections 341, 323, 307, 504 and 506/34 of the Indian
Penal Code 1860.

The allegation, as per the First Information Report, is
that on the date of occurrence i.e. on 15.1.2021 the petitioner
along with other co-accused persons assaulted the father of the
informant by means of Bamboo reed (*Lathi*).

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case due to family
dispute inasmuch as the informant is agnate of the petitioner and



other co-accused persons. He further submits that there is inordinate delay in lodging the First Information Report inasmuch as the occurrence has allegedly taken place on 15.1.2021 but *Fard-e-beyan* was recorded on 6.3.2021 and First Information Report has been registered on 11.5.2021. He also submits that from perusal of the impugned order, it would be evident that the treatment of Burr hole evacuation was given to the victim i.e. the father of the informant in O.T. on 10.03.2021 which is a procedure for treatment of cancer patient. He next submits that no injury report has been brought on record by the prosecution after investigation. The petitioner is in custody since 11.6.2021.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that there is inordinate delay in lodging the First Information Report, the petitioner is in custody since 11.6.2021 and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., 1st, Banka, in connection



with Suiya P.S. Case No. 39 of 2021.

(Anil Kumar Sinha, J)

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