

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40881 of 2022

Arising Out of PS. Case No.-274 Year-2021 Thana- HALSI District- Lakhisarai

Sanjeet Yadav S/O Prasadi Yadav R/O Village- Silway P.S.- Halsei, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Suresh Pd. Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 18-10-2022 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 Halsei P.S. Case No.274 of 2021 registered for the offences punishable under Sections 323, 324, 325, 307, 379, 504 and 34 of the Indian Penal Code.

As per prosecution story, the informant in his written report has alleged that six named accused persons abused his father and upon protest co-accused Prasadi Yadav inflicted an iron rod blow on the informant's father's head due to which he fell unconscious and thereafter petitioner using a dagger hit on



his head. Further it is alleged that the informant and his family members were threatened by co-accused Hareram Yadav and meanwhile co-accused Nandan Yadav assaulted the informant's father on his hand by means of khanti causing fracture injury.

The learned counsel Mr. Manoj Kumar appearing for the petitioner seeks permission to file hard-copy of the Supplementary Affidavit along with two Annexures. Permission is granted and the same be kept on record. The main submissions advanced by the learned counsel for the petitioner are that the petitioner has clean antecedent and has been languishing in jail since 19.05.2022 and both the parties are relatives. Further submission is that in the present time a good relationship has been established in between both the parties and today by way of supplementary affidavit the copy of the compromise petition submitted by both the parties before the Court below has been filed before this Court in support of the said fact of compromise. Further submission is that due to some misunderstanding the alleged occurrence took place and petitioner is a farmer and against him there is only allegation of having inflicted one knife blow at the head of the injured person named Bilkhu Yadav and there is no allegation of repeated blow by the petitioner on the said victim.



Learned APP Mr. Suresh Pd. Singh appearing for the State has opposed the bail prayer.

In view of above submissions and considering the petitioner's clean antecedent and also the facts that both the parties are relatives and at the time of alleged occurrence there was some dispute in between them which now has been settled and also considering the genesis of the case, in opinion of this Court 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 concerned Court in Connection with Halsi P.S. Case No. 274 of 2021.

(Shailendra Singh, J.)

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