

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43948 of 2022

Arising Out of PS. Case No.-25 Year-2020 Thana- IMADPUR District- Bhojpur

Govind Yadav @ Gobinda Singh Son of Mahabir Singh Resident of village -
West English, P.S.- Imadpur, District - Bhojpur, Ara

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Malti Kumari, Advocate
For the State : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 24-11-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Imadpur
P.S. Case No. 25 of 2020 registered for the offence under
Sections 341, 323, 324, 307, 504 and 34 of the Indian Penal
Code and, later on, Section 302 of the Indian Penal Code was
added subsequently.

The accused/petitioner is named in the F.I.R. and is in
custody since 27.01.2022.

The allegation against the petitioner is to commit
murder of father-in-law of the informant, by causing injury with
lathi, rama and bricks, alongwith other co-accused persons, due



to land dispute.

Learned counsel appearing on behalf of the petitioner submitted that petitioner is an innocent person and has been falsely implicated in the present case due to land dispute. It is submitted that both the parties are agnets and the occurrence was nothing but a free fight, having no intention to cause death, for which a counter case was also lodged by petitioner's side. It is submitted that allegation, as regard to assault, is very much general and omnibus against this petitioner and, moreover, in paragraph no.41 of the case diary, it is surfaced during the course of investigation that allegation of fatal assault is available against co-accused, namely, Ajit Kumar. It is also submitted that similarly situated co-accused, namely, Mahabir Singh has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 1564 of 2021 dated 09.04.2021. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State opposes the prayer of bail.



In view of the facts and circumstances, as mentioned above, as specific allegation of fatal assault is available against co-accused, namely, Ajit Kumar and not against this petitioner, which is very much general and omnibus coupled with the fact that chargesheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Imadpur P.S. Case No. 25 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate- 1st Class, Bhojpur at Ara/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

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