

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41760 of 2022

Arising Out of PS. Case No.-346 Year-2021 Thana- CHANDAUTI District- Gaya

Raju Yadav Son Of Late Sohrai Yadav R/O Village- Uda Bigha, P.S.-
Chandauti, District- Gaya (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No. 2, Advocate

For the Opposite Party/s : Mr. Upendra Kumar, 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 the
learned APP for the State.

Petitioner seeks regular bail in connection with
Chandauti P.S. Case No. 346 of 2021 registered for the offences
punishable under Sections 147, 149, 341, 323, 379, 504, 506,
307 and 325 of the Indian Penal Code.

As per the prosecution, the informant has alleged that
due to an overflowing sewage issue the petitioner with some
other named co-accused persons came at the informant's house
armed with iron rod and lathi and assaulted the informant's
family members by means of iron rod and lathi and also



snatched away some gold articles from the possession of injured persons.

The main submissions advanced by the learned counsel Mr. Manish Kumar No. 2 for the petitioner are that the petitioner has clean antecedent, the allegation made in the FIR is general and omnibus against the petitioner, as per the FIR one named Manish Kumar is stated to have sustained three injuries in the alleged occurrence in which one injury has been opined to be simple in nature and other two injuries were found on non-vital part of the body of the said injured person and seven accused persons including the petitioner were alleged to have assaulted the said injured person and other person namely Kajal Kumari also sustained simple injury whose injury has been discussed in the order impugned. Further submission is that a dispute relating to throwing water through a drain is stated to be the genesis of the case and both the parties are neighbours.

Learned APP Mr. Upendra Kumar appearing for the State has opposed the bail prayer.

In view of above submissions and mainly considering the facts that both the parties are neighbours and in the FIR there is no specific allegation against the petitioner and he has clean antecedent and has been languishing in jail since 30th



April, 2022, in the opinion of this Court a lenient approach can be taken in respect of the 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 the concerned Court in connection with Chandauti P.S. Case No. 346 of 2021.

(Shailendra Singh, J.)

sangam/-

U		T	
---	--	---	--

