

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50593 of 2021

Arising Out of PS. Case No.-28 Year-2021 Thana- ADHAOURA District- Kaimur (Bhabua)

Anil Yadav S/o Ramashish Yadav R/o Village-Kolhuva, P.S-Adhaura,
District-Kaimur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Pathak, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-02-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceedings.

The petitioner seeks bail in connection with Adhaura
P.S. Case No. 28 of 2021 instituted for the offences under
Sections 341, 323, 307, 504 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 05.06.2021, is a person with clean
antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that
allegation against the petitioner is of assaulting Binod Yadav on
head by *lathi* causing injury on account of land dispute.

Learned counsel for the petitioner submits that the
petitioner has been falsely implicated on account of land dispute
though Binod Yadav was assaulted but the petitioner had not



assaulted him. Learned counsel further submits that even presuming what has been alleged is true, without admitting, then it is the first offence of the petitioner and in heat of the moment, the occurrence took place on account of land dispute as there was no repeated blow. Learned counsel though fairly submits that the injury report records that the injury is grievous in nature.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 05.06.2021, charge-sheet has been submitted in the case petitioner is a person with clean antecedent and learned counsel for the petitioner makes a specific submission that charges have been framed, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Bhabua (Kaimur) in connection with Adhoura P.S. Case No. 28 of 2021 with a condition that one of the bailor shall be the brother-in-law of the petitioner (Jamuna Singh).

The petitioner shall be released only after the learned court below is satisfied that the charges have been framed



against the petitioner.

(Satyavrat Verma, J)

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