

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51409 of 2021**

Arising Out of PS. Case No.-216 Year-2020 Thana- MANJHAGARH District- Gopalganj

RAJENDRA YADAV S/o SHRI BISHWANATH YADAV R/o VILLAGE-
LAHLADPUR, P.S-MANJHAGARH, DISTRICT-GOPALGANJ.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

3 25-03-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 364, 302 and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, the eight named accused persons including the petitioner herein came variously armed and started to assault the husband of the informant and others. It is stated that Achal Singh repeatedly struck with the butt of a rifle on the chest of the informant's husband while the petitioner struck with the butt of a pistol on his head. All the accused persons struck with knife, rod, hockey stick, axe etc. The petitioner thereafter struck with the butt of a rifle on the chest. The husband of the petitioner was thereafter tied to the tractor



and dragged on the PCC road. It is stated that the petitioner was demanding rangdari which was opposed by the husband of the informant.

It is submitted by learned counsel for the petitioner that from perusal of the FIR it would transpire that a very detailed description of assault by large number of accused persons has been given in the F.I.R making specific allegations against them. The allegations are falsified from perusal of the postmortem report which is available in the case diary. There is no injury on the hand nor any injury on the back. There is case and counter case between the parties. The FIR of the counter case having been brought on record as Annexure 2 to the petition. Petitioner is in custody since 3.10.2020 and investigation in the case is complete.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the material that has transpired in course of investigation specially the contents of the postmortem report, the petitioner having remained in custody for 1 year 5 months and charge sheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Manjhagarh



P.S. Case no. 216 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 the learned Chief Judicial Magistrate,
Gopalganj.

(Partha Sarthy, J)

Prakash/-

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