

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43876 of 2022

Arising Out of PS. Case No.-42 Year-2022 Thana- PRATAPGANJ District- Supaul

Awadhesh Yadav @ Awadhesh Kumar Son of Ashok Yadav R/o Gadhiya
Gobindpur, P.S- Pratapganj, Distt.- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Murli Dhar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 25-11-2022 The case is heard through Video Conferencing.

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 Pratapganj P.S. Case No. 42 of 2022 registered for the offences punishable under Sections 341, 323, 307, 379 and 34 of the Indian Penal Code.

As per the prosecution, the informant's brother was assaulted by this petitioner with a co-accused person by means of an iron rod and the accused persons also snatched Rs. 15,000/- and a gold chain from the possession of the informant.



The main submissions advanced by learned counsel Mr. Shailendra Kumar Singh appearing for the petitioner are that the FIR of the instant matter was lodged ten days after the alleged occurrence, in fact on the date of alleged occurrence the petitioner along with co-accused Lalu Yadav were going to see her ill maternal grandmother on foot and in the meantime informant's brother Umanand Kumar was coming by a motorcycle in drunken state and he hit the co-accused Lalu Yadav as a result which both of them fell down and both became injured and thereafter, villagers got them admitted at PHC Pratapganj for primary treatment where both got treatment and in this regard an information sought by father of the petitioner confirms the said medical treatment and the said information copy has been filed as Annexure-2 series. Further submission is that the petitioner has been languishing in jail since 07.03.2022 having fair and clean antecedent.

Learned APP Mr. Murli Dhar appearing for the State has opposed the bail prayer.

In view of the above submissions and considering the above defence mentioned in paragraph No. 11 of the petition and also taking into account petitioner's clean antecedent and his custody period, 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 concerned Court in Connection with Pratapganj P.S. Case No. 42 of 2022.

(Shailendra Singh, J.)

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