

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.44160 of 2022**

Arising Out of PS. Case No.-183 Year-2022 Thana- AMAS District- Gaya

Raj Kumar Yadav Son of Late Krit Yadav Resident of Village - Rampur Tola  
Ganga Bigha, P.s.- Amas, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

**CRIMINAL MISCELLANEOUS No. 50806 of 2022**

Arising Out of PS. Case No.-183 Year-2022 Thana- AMAS District- Gaya

Brajesh yadav Son of Late Ramji Yadav Resident of Village - Rampur, Tola  
Ganga Bigha, P.S.- Amas, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

(In CRIMINAL MISCELLANEOUS No. 44160 of 2022)

For the Petitioner/s : Mr.Rakesh Kumar Singh, Advocate

For the Opposite Party/s : Mr.Murli Dhar, APP

(In CRIMINAL MISCELLANEOUS No. 50806 of 2022)

For the Petitioner/s : Mr.Rakesh Kumar Singh, Advocate

For the Opposite Party/s : Mr.Dr. Ajeet Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

3      30-11-2022                      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 Amas P.S.  
Case No. 183 of 2022 registered for the offence under Sections



147, 148, 341, 323, 307, 504 and 506 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in custody since 03.06.2022.

The allegation against the petitioner is to assault upon informant and others, by using lathi, rod, stones etc., along with other co-accused persons, by causing bodily injuries, having intention to cause their death, due to land dispute.

Learned counsel appearing on behalf of the petitioner submitted that occurrence is free fight in nature, where both parties received injuries and, as such, it can be safely gathered that the petitioner was not under intention to cause death. It is submitted that for the same set of occurrence, petitioner had also lodged a case, which has been registered as Amas P.S. Case No. 184 of 2022. It is further submitted that as per allegation, petitioner cause assault with stones on non vital part of the body of the alleged injured namely, Vijay Yadav. It is also submitted that petitioner involved in one more criminal case, where he is on bail. While concluding the argument, it is submitted that investigation of this case is complete, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.



In view of the facts and circumstances as mentioned above, and by taking note of nature of accusation, where occurrence is of free fight in nature coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Amas P.S. Case No. 183 of 2022 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, 1<sup>st</sup> Class, Sherghati, District-Gaya/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

**In Cr. Misc. No. 50806 of 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 Amas P.S. Case No. 183 of 2022 registered for the offence under Sections 147, 148, 341, 323, 307, 504 and 506 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in custody since 03.06.2022.

The allegation against the petitioner is to assault upon informant and others, by using lathi, rod, stones etc., by causing



bodily injuries, having intention to cause their death, due to land dispute.

Learned counsel appearing on behalf of the petitioner submitted that occurrence is free fight in nature, where both parties received injuries and, as such, it can safely be gathered that the petitioner was not under intention to cause death. It is submitted that for the same set of occurrence, petitioner had also lodged a case, which has been registered as Amas P.S. Case No. 184 of 2022. It is further submitted that as per allegation, petitioner caused to assault with stones on non vital part of the body of the injured namely, Vijay Yadav. It is also submitted that petitioner involved in one more criminal case, where he is on bail. While concluding the argument, it is submitted that investigation of this case is complete, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

In view of the facts and circumstances as mentioned above, and by taking note of nature of accusation, where occurrence is of free fight in nature coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection



with Amas P.S. Case No. 183 of 2022 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, 1<sup>st</sup> Class, Sherghati, District-Gaya/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

**(Chandra Shekhar Jha, J)**

R.S.Sen/-

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