

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61106 of 2021**

Arising Out of PS. Case No.-98 Year-2021 Thana- BALIYA District- Begusarai

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Rajnish Kumar @ Rajnish Yadav S/O Ram Bilas Yadav R/O Village-Lal
Diayara Ward No. 03, P.S-Ballia, District-Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 21-03-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Baliya
P.S. Case No. 98 of 2021 instituted for the offences under
Sections 147, 148, 149, 341, 323, 307, 504, 506, 379 and 427 of
the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 06.07.2021, is a person with clean
antecedent and charge-sheet has been submitted in the case.

The informant alleges that on account of dispute
relating to movement of tractor and thresher from his green
gram crop sown field, the husband of the informant forbade the
accused, Ram Bilash Yadav from taking his tractor through his
field on account of which the named accused persons, including



the petitioner, came to the house of the informant and on orders of the petitioner, accused Amrit Yadav assaulted the informant by fist and slaps, on alarm, her neighbour Usha Devi came to save him but was assaulted by Akshay Yadav on head. It is further alleged that Bipin Yadav caught informant's husband and all the accused started assaulting him by *lathi*, *danda* and iron rod causing injury on his head and right hand, further the petitioner and Saurabh took out pistol and started threatening the informant from raising alarm, Bipin and Saurabh took Rs. 14,000/- from the house along with ornaments and the injured were treated at Sadar Hospital.

Learned counsel for the petitioner submits that from perusal of the allegation as alleged in the F.I.R. it would manifest that petitioner is alleged to be the order giver based on which the accused persons assaulted Usha Devi and husband of the informant. It has been alleged that petitioner along with Saurabh took out his pistol and started threatening, learned counsel submits that though allegation is of threatening the informant's side by the petitioner by using his pistol but the case is not registered under the Arms Act.

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, is a person with clean antecedent, charge-sheet has been submitted in the case and taking into consideration the submissions made by the learned counsel for the petitioner, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Begusarai in connection with Baliya P.S. Case No. 98 of 2021.

(Satyavrat Verma, J)

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