

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50397 of 2022**

Arising Out of PS. Case No.-71 Year-2021 Thana- MADHWAPUR District- Madhubani

LALAN YADAV @ LALAN KUMAR YADAV SON OF PARDESHI
YADAV R/O VILLAGE- PARRI, P.S.- MADHAWPUR, DISTRICT-
MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abu Nasar, Adv.
For the State : Ms. Anita Kumari Singh, APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 09-12-2022 Heard the learned counsel for the petitioner and the learned APP for the State, Ms. Anita Kumari Singh.

The petitioner seeks regular bail in connection with Madhawpur (Madhubani) P.S. Case No. 71 of 2021, registered for the offence punishable under Sections 147, 149, 341, 323, 324, 307, 354, 379 and 504 of the Indian Penal Code.

The case of the prosecution, in brief, is that while the informant, after discharging his duties at the hospital, was returning back to his house, all the accused persons including the petitioner herein



had surrounded him on the alleged date and time of occurrence and assaulted him by iron rod on his head, resulting in him receiving injuries, whereupon his family members had also arrived there to rescue him, however, they were also assaulted by the accused persons.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 7.6.2022. The learned counsel for the petitioner has further submitted that the other eight co-accused persons have already been granted the privilege of anticipatory bail, by an order dated 14.11.2022, passed by a coordinate Bench of this Court in Criminal Miscellaneous No. 25960 of 2022 and the petitioner could not be granted anticipatory bail on account of him having been arrested by the police during the interregnum period.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.



Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the eight other co-accused persons have already been granted the privilege of anticipatory bail by a coordinate Bench of this Court, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate First Class at Benipatti, Madhubani in connection with Madhawpur P.S. Case No. 71/2021.

(Mohit Kumar Shah, J)

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