

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.61015 of 2021**

Arising Out of PS. Case No.-39 Year-2021 Thana- SULTANGANJ District- Bhagalpur

Bipin Yadav Son Of Shiv Sahi Yadav @ Shivshali Yadav Resident Of Village-  
Mirhatti, P.S. Sultanganj, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr.Mukesh Kumar Singh, APP

**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  
Sultanganj P.S. Case No. 39 of 2021 instituted for the offences  
under Sections 302 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the  
petitioner is in custody since 21.06.2021, charge-sheet has been  
submitted in the case and has antecedent of three cases.

Learned counsel for the petitioner submits that the  
informant alleges that on 19.02.2021 at about 7:00 pm, two  
groups of people of Yadav Tola and Mandal Tola went for idol  
immersion and consequently, there was some altercation  
between the parties and a free-fight took place between them,  
and in the said occurrence, husband of the informant received



injury and died, accordingly the present F.I.R. was instituted against 14 named persons, including the petitioner, and 15-20 unknown persons.

Learned counsel for the petitioner submits that though petitioner is named in the F.I.R., but there is no specific allegation of assault against him, the allegations are general and omnibus in nature and as per F.I.R. itself in course of idol immersion there was a general assault from both sides by *lathi* and *danda*, as a result of which, the husband of the informant died. It is further submitted that co-accused has been granted bail vide order dated 12.08.2021 passed in Cr. Misc. No. 30157 of 2021 (Gautam Yadav @ Gautam Kumar).

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, charge-sheet has been submitted in the case and there is no specific allegation of assault against 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 Additional Chief Judicial Magistrate-I, Bhagalpur in connection with Sultanganj P.S.Case No. 39 of 2021 with a condition that one of



the bailors of the petitioner shall be his father, Shiv Sahi Yadav  
@ Shivshali Yadav.

(Satyavrat Verma, J)

Rishi/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

