

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64978 of 2021

Arising Out of PS. Case No.-37 Year-2021 Thana- SIWAN MUFFASIL District- Siwan

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WAKIL YADAV @ WAKIL CHAUDHARY S/o Late Indradeo Yadav @
Indradeo Chaudhary R/o village - Barahani Ke Tola, P.S.- Siwan Muffasil,
District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suresh Mishra, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 31-03-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 302, 120(B), 341, 323, 307,
504, 506, 379, 354 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 04.06.2021, is a person with clean
antecedent and charge-sheet has been submitted.

The informant alleges that while son of her Dewar
had gone to attend the call of nature then Arun Kumar Yadav
started abusing him and Ram Barai Chaudhary, Adalat
Chaudhary and Ram Ratan Chaudhary started assaulting the



victim with Lathi, Danda and hockey stick and on hulla the informant, her husband and her son Arun Kumar and Sumit Kumar went to save the victim then they were also assaulted. Further, Arun Kumar Yadav assaulted the husband of the informant by hockey stick who died and thereafter named accused persons including the petitioner assaulted the family members of the informant.

Learned counsel for the petitioner submits that the allegation against the petitioner is general and omnibus in nature and there is specific allegation of assault by hockey stick by Arun Kumar Yadav to the husband of the informant who died. Learned counsel further submits that co-accused Babu Lal Yadav has been granted bail by order dated 06.12.2021 in Cr. Misc. No. 29109 of 2021 and Ram Barai Chaudhary has been granted bail by order dated 23.12.2021 in Cr. Misc. No. 29427 of 2021.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 04.06.2021, is a person with clean antecedent and charge-sheet has been submitted and the allegation of assault is general and omnibus in nature and the co-accused have been granted



bail, the petitioner, above named, is directed to 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 Court below where the case is pending in connection with Siwan Mufassil P.S. Case No. 37 of 2021.

(Satyavrat Verma, J)

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