

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67132 of 2021

Arising Out of PS. Case No.-348 Year-2020 Thana- SHAMBHUGANJ District- Banka

1. SANJAY YADAV Son of Late Arjun yadav Resident of Village- Chautara, Police Station - Shambhuganj, District- banka.
2. Mritunjay Yadav @ Mrityunjay Kumar Son of Manoj Yadav Resident of Village - Baja, Police station - Amarpur, District - Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ganesh Sharma, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-04-2022 Heard learned counsel for the petitioners 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 petitioners seek bail in a case registered for the
offences punishable under Sections 341, 323, 307, 504 and
506/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the
petitioners are in custody since 21.10.2021, are persons with
clean antecedent and charge-sheet has been submitted in this
case.

The nephew of the informant was assaulted by the
petitioners along with two others by lathi and danda causing



injury and when Dharamveer Yadav and Kuso Yadav went to save him they were also assaulted.

Learned counsel for the petitioners submits that from bare perusal of the allegation as alleged in the FIR, it would manifest that the named accused persons are alleged to have assaulted but there is no specific allegation of assault against any of the accused persons. Learned counsel further submits that co-accused Raj Kumar Yadav and Bhim Yadav, who are similarly situated to that of the present petitioners, have been granted bail by the learned court below. Learned counsel very fairly submits that one of the injuries caused to the nephew of the informant is said to be grievous in nature and is on the vital part of the body but the FIR does not even remotely reflect that who assaulted the injured causing injury on his vital part of the body.

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

Considering the fact that the petitioners are in custody since 21.10.2021, are persons with clean antecedent and charge-sheet has been submitted in this case and co-accused have been granted bail as aforesaid, the petitioners, above named, are directed to be released on bail on furnishing bail bonds of



Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Shambhuganj P.S. Case No. 348 of 2020.

(Satyavrat Verma, J)

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