

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67892 of 2021

Arising Out of PS. Case No.-207 Year-2021 Thana- LAXMIPUR District- Jamui

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YUGAL YADAV Son of Late Baleshwar Yadav Resident of Village- Banadih,
P.S.- Gidhaur, and District- Jamui Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akash Raj, Advocate

For the Opposite Party/s : Ms. Anita Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-05-2022 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Laxmipur (Gidhaur) P.S. Case No. 207 of 2021 for the offence
registered under Sections 147, 148, 323, 324, 307 and 504 of the
Indian Penal Code.

The allegation is regarding the accused persons
including the petitioner herein having arrived at the door of the
house of the informant whereupon the co-accused person
namely Awdhesh Yadav is stated to have assaulted the informant
by *Bhujali* while the petitioner is stated to have assaulted him
with a sword resulting in the informant sustaining injuries.

The learned counsel for the petitioner has submitted
that the petitioner is innocent, has been falsely implicated in the
present case, is having a clean antecedent and he is languishing
in custody since 23.08.2021. The learned counsel for the



petitioner has also submitted that the allegation is regarding the petitioner and his son having inflicted blows by sword and *Bhujali* on the forehead of the informant, however, a bare perusal of the injury report, reproduced in the impugned order dated 02.11.2021 would show that there is only one injury on the forehead, hence benefit of doubt can be granted to the petitioner herein since it is the son of the petitioner, namely, Awdhesh Yadav who is stated to have inflicted *Bhujali* blow on the forehead resulting in the said single injury.

Per contra, Ms. Anita Kumari Singh, the learned A.P.P. for the State has submitted by referring to the impugned order dated 02.11.2021 that the injury sustained by the informant is grievous in nature, hence the petitioner be not admitted to the privilege of 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 as per the allegation levelled by the informant both the petitioner and his son are alleged to have given sword/Bhujali blow on the forehead of the informant, however, only one injury has been found on the centre of the head of the informant, I deem it fit and proper to



grant benefit of doubt to the petitioner herein, he being the father of the co-accused person namely Awdhesh Yadav, who is also stated to have inflicted Bhujali blow on the forehead of the informant.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Jamui in connection with Laxmipur (Gidhaur) P.S. Case No. 207 of 2021.

(Mohit Kumar Shah, J)

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