

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68138 of 2021**

Arising Out of PS. Case No.-85 Year-2021 Thana- SILAO District- Nalanda

SHYAM YADAV @ SHYAM KUMAR Son of Ram Jatan Yadav Resident of
Village - Kamdarganj, P.S. - Silao, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar No.1, Advocate
For the Opposite Party/s : Ms.Rina Sinha, APP

**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
Silao P.S. Case No. 85 of 2021 for the offence registered under
Sections 341, 323, 325, 354, 307, 147, 148, 149 and 379 of the
Indian Penal Code and Section 27 of the Arms Act.

The allegation is regarding the accused persons
including the petitioner herein, variously armed, having arrived
at the house of the informant, whereafter they are stated to have
assaulted the informant, his daughter and some other persons
and are also alleged to have snatched gold chain, ear ring etc.

The learned counsel for the petitioner has submitted
that the petitioner is innocent, has been falsely implicated in the
present case and he is languishing in custody since 18.08.2021.



The learned counsel for the petitioner has further submitted that though the petitioner is accused in one other case but he is on bail in the said case. It is also submitted that a bare perusal of the fardbeyan of the informant would show that the petitioner is only alleged to have caught hold of the daughter of the informant while the other co-accused persons are stated to have assaulted her, however, it is submitted that there is no allegation against the petitioner to have indulged in any sort of overt act.

Per contra, the learned counsel 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 petitioner is not alleged to have indulged in any sort of overt act apart from the fact that he is languishing in custody since about eight months, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

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 C.J.M., Nalanda at Bihar Sharif in



connection with Silao P.S. Case No. 85 of 2021.

(Mohit Kumar Shah, J)

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