

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70245 of 2021**

Arising Out of PS. Case No.-12 Year-2021 Thana- BAKHTIYARPUR District- Patna

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YOGENDRA DAS @ YOGENDRA MOCHI Son of Late Parmeshwar Das
Resident of Village- Simri, Rawaich, P.S.- Bakhtiyarpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arjun Prasad

For the Opposite Party/s : Mr.Nagendra Prasad

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 09-06-2022 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Bathtiyarpur P.S. Case No. 12 of 2021, registered for the offence punishable under Sections 147, 341, 323, 325 and 308 of the Indian Penal Code.

The allegation is regarding the accused persons including the petitioner herein having assaulted the informant with sticks resulting in him receiving injuries.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has



been falsely implicated in the present case and he is languishing in custody since 18.9.2021. The learned counsel for the petitioner has further submitted that though the incident in question had taken place on 14.11.2020, but the FIR has been lodged after a delay of two months only on 14.1.2021. Lastly, it is submitted that similarly situated co-accused person has already been granted bail by a coordinate Bench of this Court vide order dated 14.9.2021 passed in Criminal Miscellaneous No. 35223 of 2021.

Per contra, the learned APP 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 parity of the case of the petitioner with that of the co-accused person, who has already been granted bail by a coordinate Bench of this Court, apart from the fact that he is in custody since about



nine months, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Barh, District-Patna in connection with Bakhtiyarpur P.S. Case No. 12 of 2021.

(Mohit Kumar Shah, J)

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