

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71463 of 2021

Arising Out of PS. Case No.-229 Year-2021 Thana- SUPAUL District- Supaul

1. YOGENDRA YADAV @ JOGENDRA YADAV Son of Gulai Yadav Resident of Village- Choughara, Ward No. 7, P.S. and District- Supaul.
2. Braj Nandan Kumar @ Brajnandan Kumar Son of Yogendra Yadav @ Jogendra Yadasv Resident of Village- Choughara, Ward No. 7, P.S. and District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra, Advocate
For the Opposite Party/s : Mr.Tapeshwar Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-05-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners seek bail in connection with Supaul
P.S. Case No. 229 of 2021 registered under Sections 341, 323,
324, 307, 354(B), 379, 504 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that after
filing of charge-sheet cognizance was taken under Section 341,
323, 324, 307, 354, 504 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that
petitioners are in custody since 21.07.2021, are the person with
clean antecedent, charge-sheet has been submitted in the case
and the informant alleges that the petitioners along with named



accused persons entered her house while construction of toilet was going on and started assaulting by Latha Danda, Bhala, Farsa, Rod causing injuries to father-in-law, mother-in-law, husband and brother-in-law of the informant, further on orders of Yogendra Yadav accused Braj Mohan, Braj Bhushan and petitioner no. 2 assaulted her husband and brother-in-law on head with Farsa, Rod and Lathi causing injuries, while Sakhiya Devi assaulted her father-in-law by scissor causing injury on hand and the accused also assaulted the informant and looted articles worth Rs. 90,000/-.

Learned counsel submits that the petitioners and the informant are agnates on account of dispute relating to land the occurrence took place though it is alleged that the husband and brother-in-law of the informant was assaulted on head by the accused persons causing injuries but from perusal of impugned order it would manifest a grievous injury was found on the chest of the victim Lalan Kumar, as such it is submitted that informant is not an eye witness to the occurrence as no allegation of assault on the chest of her husband is alleged. It is further submitted that even presuming what has been alleged is true without admitting for the purposes of the bail the occurrence took place in heat of the moment on account of dispute and the



petitioners have already been remain in custody for long.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the fact that the petitioners are in custody since 21.07.2021, are a person with clean antecedent and charge-sheet has been submitted in the case and taking into consideration the submissions made by the learned counsel for the petitioners, let the petitioner above named are directed to be released on bail on furnishing bail bond 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/successor court in connection with Supaul P.S. Case No. 229 of 2021.

(Satyavrat Verma, J)

ved/-

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