

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2262 of 2023

Arising Out of PS. Case No.-407 Year-2022 Thana- MADHEPURA District- Madhepura

1. Nand Kishore Yadav S/O Late Ravi Yadav Resident Of Village- Barahi Tola, Manhara Ward No- 12, P.S. And District- Madhepura.
2. Santosh Yadav S/O Nand Kishore Yadav Resident Of Village- Barahi Tola, Manhara Ward No- 12, P.S. And District- Madhepura.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Prasad Verma

For the Opposite Party/s : Mr.Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-03-2023 Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 447, 341, 323, 324, 307, 379, 504/34 of the Indian Penal Code.

As per prosecution case, while the informant along with his sons was collecting the fallen sheets of cow-shade, in the meantime, the accused persons including the petitioner armed with deadly weapons and started assaulting them. It is further alleged that petitioner no.1 assaulted the informant by means of Dabiya and petitioner no.2 assaulted on the head Sushil kumar by means of axe as a result of which they



sustained injuries.

Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case due to dirty village politics. It is further submitted that the injury report of the injured persons which are annexed as Annexure-2 is not in consonance with the prosecution version just because the allegation has been made against the petitioners are of assaulting by means of Dabiya & axe whereas, the doctor opined that the injuries sustained by injured are caused by hard and blunt substance and the same are simple in nature. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. It is further submitted that the petitioners are languishing in judicial custody since 23.9.2022.

Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with



Madehpura P.S. Case No. 407 of 2022 on furnishing bail bond
of Rs.10,000/- (ten thousand) each with two sureties of the like
amount each to the satisfaction of learned Judicial Magistrate 1st
Class, Madhepura.

(Sunil Kumar Panwar, J)

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