

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4294 of 2023

Arising Out of PS. Case No.-8 Year-2022 Thana- NAWADA MUFFASIL District- Nawada

Rakesh Kumar @ Rakesh Yadav Son Of Late Sito Yadav R/V- Asarhi, P.S-
Mufassil, Dist- Nawadah

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar

For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Mufassil P.S. Case No. 08 of 2022 registered under sections 147, 148, 149, 341, 323, 504, 307 and 302 of the Indian Penal Code.

Allegation against the co-accused persons is that they assaulted the informant's husband by means of *lathi* and *Gandasa* resulting to his death. Further alleged that the petitioner assaulted the informant's brother-in-law by means of *Gandasa* due to which he sustained injury on the upper part of the elbow and his left hand.

Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to village politics and both parties are co-villagers. It is further submitted that the specific allegation of assault due to which informant's husband died is against other co-accused persons rather the only allegation as alleged against the petitioner is that he assaulted the informant's brother-in-law due to which he sustained injuries, except that nothing has come against the petitioner to implicate in this case. Further, he is languishing in judicial custody since 26.08.2022. Similarly situated other co-accused person has already been granted bail by the different co-ordinate Bench of this Court vide order dated 28.03.2023. in Cr. Misc. No. 69875 of 2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Mufassil P.S. Case No. 08 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each



to the satisfaction of the learned Chief Judicial Magistrate,
Nawadah.

(Sunil Kumar Panwar, J)

shubham/-

U		T	
---	--	---	--

