

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14793 of 2023

Arising Out of PS. Case No.-208 Year-2022 Thana- DHURAIYA District- Banka

1. Guddu Yadav @ Pitamber Yadav S/O Panchu Yadav R/V- Gangati, P.S.- Dhoriya, District- Banka
2. Brajesh Yadav S/O Gobardhan Yadav R/V- Gangati, P.S.- Dhoriya, District- Banka

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manohar Prasad Singh

For the Opposite Party/s : Mr.Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 10-07-2023 Heard learned counsel for the petitioners and
learned APP for the State.

The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 147, 148, 149, 448, 323, 324, 325, 307, 302, 379, 504 and 506 of the Indian Penal Code.

As per prosecution case, the allegation against the accused persons including the petitioners is that they have assaulted the informant's side as a result of which, the husband of the informant died. It is specifically alleged against the co-accused, namely, Panchu Yadav, that he assaulted by means of iron rod (khanti) on the head of the



husband of the informant.

Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case due to previous land dispute. There is case and counter case between the parties and both parties have sustained injuries in separate occurrence. There is no specific allegation of assaulting attributed against the petitioners rather general and omnibus allegation attributed against them. They have got no criminal antecedent. The main accused has already been granted bail by this Court vide order dated 17.04.2023 passed in Cr. Misc. No. 65330 of 2022. It is further submitted that the petitioners are languishing in judicial custody since long.

Learned APP appearing for the state has opposed the prayer of regular bail.

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



P.S. Case No. 208 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka.

(Sunil Kumar Panwar, J)

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