

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8605 of 2023

Arising Out of PS. Case No.-445 Year-2022 Thana- SAUR BAZAR District- Saharsa

1. Domi Yadav Son Of Late Satrudhan Yadav R/O Village- Jamhara Ward No.03, P.S.- Sour Bazar, Patarghat O.P., District- Saharsa (BIHAR)
2. Amod Yadav Son Of Khushi Lal Yadav R/O Village- Jamhara Ward No.03, P.S.- Sour Bazar, Patarghat O.P., District- Saharsa (BIHAR)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 05-07-2023 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, 341, 323, 307, 307, 447, 302, 504, 506 of the Indian Penal Code.

As per FIR, the allegation against the petitioners along with co-accused persons is that they armed with various weapons came at the house of the informant and assaulted him and his family members. It is further alleged that, in the meantime, co-accused, namely, Vinod Yadav assaulted on the head of the informant's father due to which



his father sustained grievous injuries and during treatment he died.

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 no specific allegation of assaulting attributed against the petitioners rather general and omnibus allegation attributed against them and the specif allegation of assaulting by means of iron rod is against co-accused. Similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 17.05.2023 passed in Cr. Misc. No. 22861 of 2023. It is further submitted that the petitioners are languishing in judicial custody since 21.09.2022.

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 Sour



Bazar P.S. Case No. 445 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 C.J.M., Saharsa.

(Sunil Kumar Panwar, J)

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