

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13406 of 2023

Arising Out of PS. Case No.-224 Year-2022 Thana- RAMGARHWA District- East
Champaran

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Rajesh Yadav @ Ghamandi Yadav, Son Of Sri Harishankar Yadav R/O Vill.-
Bherihari, P.S.- Ramgarhwa, Distt.- East Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-05-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under Sections 341,
323, 324, 307, 450, 379 and 504/34 of the Indian Penal
Code.

As per FIR, one Kamta Yadav along with other
two co-accused persons assaulted the informant and his
minor daughter by means of knife while she was sleeping
with her mother on account of petty issue of purchasing
gutkha from the shop of the informant.

Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. His name has been transpired only on the basis of the confessional statement of main accused, Kamta Yadav. He has falsely been implicated in this case. There is no specific allegation against the petitioner. From perusal of the impugned order, it appears that injury opined by the doctor is simple in nature. FIR named accused Kamta Yadav has already been granted regular bail by a coordinate Bench of this Court vide order dated 21.03.2023 passed in Cr. Misc. No. 73987 of 2022. He has got no criminal antecedent. Moreover, the petitioner is languishing in judicial custody since 15.11.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

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 period of custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Ramgarhwa P.S. Case No. 224 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 S.D.J.M.,
Raxaul, East Champaran, Motihari.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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