

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14511 of 2023

Arising Out of PS. Case No.-192 Year-2018 Thana- MANJHAGARH District- Gopalganj

NANHE YADAV @ UMESH YADAV S/O ALI YADAV R/v- Maghi
Nimuiya (Gausia), P.S.- Manjhagarh, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Y.C. Verma, Sr. Adv. Mr.Dhramveer
For the Opposite Party/s	:	Mr.Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 15-03-2023 Heard learned Senior Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with Sessions Trial No. 211 of 2022, arising out of Manjhagarh Police Station Case No. 192 of 2018, registered for the offences punishable under Sections 147/148/149/341/323/324/307/302/504 of the Indian Penal Code.

This is the second attempt on behalf of the petitioner for grant of regular bail. Earlier, the prayer for regular bail of the petitioner was permitted to be withdrawn vide order, dated 04.01.2022, passed in Criminal Misc., No. 33773 of 2021, with liberty to renew his prayer for bail after completing two years in custody.



The prosecution story, as per the First Information Report, is that the petitioner, along with other co-accused persons, named in the First Information Report, came at the door of the informant, and at the instance of co-accused Wakil Yadav, co-accused Awadh Yadav assaulted the father of the informant, namely, Ojha Chaudhary, with a spear on the left side of his abdomen, due to which the father of the informant fell down and thereafter, the petitioner assaulted him with farsa on his head while other co-accused persons assaulted him with lathi. It has further been alleged that during course of treatment, the father of the informant, Ojha Chaudhary, died.

Learned Senior Counsel for the petitioner submits that the petitioner has renewed his prayer for bail, as observed by this Court in the order dated 04.01.2022. He further submits that the petitioner is in custody since 20.02.2021 and similarly situated co-accused Awadh Yadav @ Avdh Yadav has been granted bail by co-ordinate Bench of this Court, vide order, dated 29.09.2020, passed in Criminal Misc. No. 10865 of 2020.

After having heard learned Counsel for the parties and taking into consideration the fact that similarly situated co-accused Awadh Yadav @ Avdh Yadav has been granted bail by this Court and the petitioner is in custody since 20.02.2021, I am



inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, upon furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned 11th Additional Sessions Judge, Gopalganj, in connection with Sessions Trial No. 211 of 2022, arising out of Manjhagarh Police Station Case No. 192 of 2018.

This is subject to the condition that the petitioner shall present himself before the Court, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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