

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14885 of 2023**

Arising Out of PS. Case No.-140 Year-2022 Thana- TANKUPPA District- Gaya

=====

Sarju Yadav Son Of Komal Yadav R/V- Khabra, Ps- Tankuppa, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha
For the Opposite Party/s : Mr.Pramod Kumar Pandey

=====

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 20-06-2023 Heard learned counsel for the petitioner,

informant and learned A.P.P appearing on behalf of the

State.

The petitioner is languishing in custody in a

case registered for the offences punishable under

Sections 341, 323, 307, 504, 354, 506/34 of the Indian

Penal Code. Subsequently Section 302 I.P.C was also

added.

The prosecution case as per F.I.R is that on

20.10.2022, all the F.I.R named accused persons



including the petitioner came at the door of the informant variously armed and started abusing and when Ramjatan Yadav (brother-in-law of the informant) made protest then co-accused Arvind Yadav assaulted him with lathi which caused injury at his head and blood started oozing, in the meanwhile, co-accused Mukesh assaulted him with iron rod at his forehead which caused injury and thereafter co-accused Sarju Yadav (petitioner) and Randhir Yadav also assaulted him with khanti and lathi. It is also stated that the daughter of Ramjatan Yadav also became injured in course of intervening the assault and the same was caused intentionally to commit murder and later the police came and took the injured at the hospital for treatment.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case in the background of previous land dispute. There is no consistent material evidence against the petitioner and only on the basis of



previous enmity, the petitioner has been roped in the present case. There is counter version of the occurrence also. Both the parties are own relatives and in the spur of the moment, the occurrence took place in which Ramjatan Yadav sustained head injury and later on died during course of treatment. The petitioner is languishing in custody since 21.10.2022. A statement has been made in para 3 of the petition that petitioner has got one criminal antecedent apart from the present one.

Learned counsel appearing on behalf of the informant and learned A.P.P appearing on behalf of the State have vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Gaya in connection with Tankuppa P.S. Case No.



140 of 2022.

(Sunil Kumar Panwar, J)

Shageer/-

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

