

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15071 of 2023

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

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ARVIND YADAV SON OF PARMESHWAR YADAV R/V- KHABRA, P.S.-
TANKUPPA, DISTRICT- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal Sr. Adv
	:	Ms. Diksha Kumari
	:	Mr. Ajay Kumar Sinha
For the Opposite Party/s :	:	Mr. Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 21-06-2023 Heard learned counsel for the petitioner, learned
counsel for the informant 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, 307, 504, 354, 506/34 of the Indian Penal Code and later on added section 302 of IPC.

The prosecution case, in brief, is that when the informant along with his family members were at their home, meanwhile, the accused persons including the petitioner came there and started assaulting them. During course of this incident, brother-in-law of the informant namely, Ramjatan Yadav was assaulted by the petitioner by means of lathi as a result of which he sustained injury and during treatment, he died.



Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Both the parties are own relative and a land dispute is going on between them as a result of which this petitioner has falsely been implicated in this case. It is further submitted that the present case is a counter case of Tankuppa P.S. Case no. 141/2022 in which the prosecution parties are accused for the same occurrence and both parties sustained injuries. It is also submitted that after delay of more than eight months, section 302 of I.P.C. has been added in this case. Moreover, the petitioner is languishing in judicial custody since 21.10.2022.

Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail and submitted that during course of investigation, witnesses supported the prosecution case.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as 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 Tankuppa P.S. Case No. 140 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 Judicial Magistrate 1st Class, Gaya/concerned Court.

(Sunil Kumar Panwar, J)

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