

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16162 of 2022**

Arising Out of PS. Case No.-544 Year-2021 Thana- SAUR BAZAR District- Saharsa

Sushil Yadav@Sushil Kumar Son Of Rajendra Yadav Resident Of Village -
Madhura, P.S.- Saurbazar, Distt.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

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

3 02-01-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 326, 307, 379, 504, 506, 120(B) of the Indian Penal Code.

The prosecution case as per F.I.R is that all the accused persons including petitioner, variously armed came on the clothes shop of the brother of informant and assaulted the brother of informant. It is specific allegation against the petitioner is that he assaulted the



brother of informant with spade due to which he sustained head injuries.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. It is also submitted that petitioner is languishing in judicial custody since 17-10-2021. It is further submitted that petitioner is suffering from neuro problems and was being treated in the neuro clinic. It is also submitted that it is alleged that altogether five accused persons including the petitioner attacked on the shop of informant's brother and assaulted him but there is no any motive has been disclosed for committing the alleged occurrence which created grave doubt over the genuineness of the alleged occurrence. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.



Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Saur Bazar P.S. Case No. 544 of 2021 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saharsa.

(Sunil Kumar Panwar, J)

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