

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16604 of 2023

Arising Out of PS. Case No.-304 Year-2022 Thana- NAUTAN District- West Champaran

Kanhaiya Yadav S/O Late Dinanath Yadav R/O Village- South Telhuwa
Braham Tola Ward No. 01, P.S- Nautan, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Avinash Raj

For the Opposite Party/s : Mr.Atul Chandra

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-04-2023 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 147, 148, 149, 341, 323, 324, 325, 307, 302, 504 of the Indian Penal Code.

As per prosecution case, informant alleged that on 03.06.2022, petitioner along with co-accused persons armed with various weapons came at the place of occurrence and started abusing and upon protest they started assaulting. It is further alleged that when son of the informant came to rescue his father then on the order of co-accused Ramnath Yadav, this petitioner and other co-accused persons



assaulted son of the informant due to which his son sustained injury and during course of treatment his son died.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. There is no specific allegation of assaulting leveled against the petitioner rather general and omnibus allegation leveled against him. The specific allegation of assaulting is leveled against co-accused Krishna Yadav not against the petitioner. Similarly situated co-accused has already been granted bail by a coordinate Bench of this court vide order dated 18.01.2023 passed in Cr. Misc No. 66333 of 2022. It is further submitted that petitioner has got no criminal antecedent moreover, he is languishing in judicial custody since 19.09.2022.

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 judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to



be released on bail in connection with Nautan P.S. Case No. 304 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 Sub-Divisional Judicial Magistrate, Bettiah, District-West Champaran.

(Sunil Kumar Panwar, J)

Manish/-

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

