

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.20077 of 2022**

Arising Out of PS. Case No.-271 Year-2019 Thana- ISLAMPUR District- Nalanda

1. JITENDRA YADAV S/o Naresh Prasad Resident of Village- Bhatu Bigha, P.S.- Islampur, Dist- Nalanda.
2. Sujit Kumar Yadav S/o Naresh Prasad Resident of Village- Bhatu Bigha, P.S.- Islampur, Dist- Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shyam Sundar Pd., Advocate  
For the Opposite Party/s : Mr. Satya Nand Shukla, APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

3      03-01-2023                      Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners seek regular bail in connection with Islampur P.S. Case No. 271 of 2019 for the offence registered under Sections 341, 323, 504, 307 and 379/34 of the Indian Penal Code.

The allegation is regarding the petitioners having arrived at the place of occurrence on 26.06.2019 at about 6:00 A.M. in the morning, whereafter, they had assaulted the informant namely Virendra Prasad. As far as the petitioner no. 1 is concerned, he is alleged to have given a farsa blow over the head of the informant while the



petitioner no. 2 had given a blow by rod on the right hand of the informant.

The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case, are having a clean antecedent and they are languishing in custody since 15.02.2022. The learned counsel for the petitioners has referred to the injury report and has submitted that as far as the injury sustained by the informant on the head is concerned, the same has been found to be simple in nature while the injury sustained by the informant on his right hand has been found to be grievous in nature, nonetheless, it is submitted that considering the fact that the petitioners are languishing in custody since more than 10 months and are having clean antecedent, some sympathy be shown towards them.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the



submissions made by the learned counsel for the petitioners and taking into account the materials available in the case diary as also the injury report, this Court finds that the injury sustained by the informant on the head is simple in nature while the injury sustained by the informant on the hand i.e. on non-vital part of the body, is stated to be grievous in nature, however, the petitioners having clean antecedent are languishing in custody since about 10 months, thus I deem it fit and proper to admit the petitioners to the privilege of bail.

Accordingly, the petitioners, above named, are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-III, Hilsa, Nalanda in connection with Islampur P.S. Case No. 271 of 2019.

**(Mohit Kumar Shah, J)**

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