

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24546 of 2023

Arising Out of PS. Case No.-333 Year-2022 Thana- CHAND District- Kaimur (Bhabua)

JITENDRA YADAV Son of Vishnu Yadav R/o village - Chhotaka Amaon,
P.S.- Chand, District - Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate
For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 19-05-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Chand P.S. Case no. 333 of 2022 registered under sections 341, 323, 313, 504, 506 and 34 of the Indian Penal Code.

3. As per the prosecution case, over a dispute relating to flow of drain water it is stated that co-accused Vijay Yadav assaulted the wife of the informant who was in the family way and as a result of the assault she aborted. It is further stated that the other accused persons also assaulted the informant. The petitioner is said to have assaulted the *Chachi* of the informant.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. The main allegation is on Vijay Yadav. So far as this petitioner is



concerned, although there is allegation of his assaulting the *Chachi* of the informant, however, neither there is any injury report nor there is any mention of any injury in the order rejecting the application for bail of the petitioner by the learned trial court. The petitioner is in custody since 25.11.2022 and has no criminal antecedent.

5. Heard learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation in the FIR against the petitioner, the main allegation being against co-accused Vijay Yadav, the petitioner being in custody for more than 5 months since 25.11.2022, chargesheet having been submitted in the case and the petitioner not having any criminal antecedent, the petitioner is directed to be enlarged on bail in connection with Chand P.S. Case no. 333 of 2022 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 Additional Chief Judicial Magistrate IV, Kaimur at Bhabua.

(Partha Sarthy, J)

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