

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27509 of 2023

Arising Out of PS. Case No.-249 Year-2022 Thana- SIKANDRA District- Jamui

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Sindheshwar Yadav @ Singheshwar Yadav S/O Dwarika Yadav Resident of
Village- Sundarbad, P.S.- Sikandra, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 06-06-2023 Let the defect(s), if any, be removed within two weeks

from today.

Heard learned counsel for the petitioner, learned
A.P.P. for the State and counsel for the informant.

The petitioner seeks regular bail in connection with
Sikandra P.S. Case No. 249 of 2022 lodged under Sections 147 /
148 /149 / 341/ 323/ 324/ 325/ 307/ 354(a)(b)/ 504 /506 of the
I.P.C.

As per the prosecution case, the F.I.R. has been
lodged against 16 named accused persons including the
petitioner against whom allegation of assaulting one Prahlad
Yadav by iron rod along with other accused Santu Yadav is
there.

Learned counsel for the petitioner submits that the
informant and petitioner both belongs to same village. He also
submits that for the same date and place of occurrence, two

criminal cases, one from the informant side and another from the accused side bearing Sikandra P.S. Case No.249 of 2022 and Sikandra P.S. Case No.250 of 2022 were filed. Counsel submits that the cause for this dispute was the quarrel which took place between the children of the families which resulted into commission of the said crime. Counsel submits that both the parties are not criminal and at the spur of the moment, this occurrence took place in the stage of anger.

Counsel further submits that petitioner is in custody since 08.09.2022 having clean antecedent. Counsel also submits that from the order of the Sessions Judge, it transpires that injury report is not on record.

Learned counsel for the State opposes the prayer for bail but admits that for the same date and place of occurrence, there are two criminal cases from both sides that is case and counter case has been filed.

Learned counsel for the informant vehemently opposes the prayer for bail and submits that the Co-ordinate Bench of this Court has pleased to reject the bail of one co-accused Sanjeev Kumar vide order dated 19.05.2023 passed in Cr. Misc. No.24580 of 2023 and provided observation to renew his prayer in 6 months.

In the present facts and circumstances of this case and particularly, when the accused whose bail has been rejected, has assaulted the accused namely, Santu Yadav by a Tangi whereas the allegation against the petitioner is that he has assaulted by Iron rod and particularly, there is case and counter case from same police station, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned J.M.-1st Class Jamui in connection with Sikandra P.S. Case No. 249 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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