

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30252 of 2023

Arising Out of PS. Case No.-171 Year-2022 Thana- BELDOUR District- Khagaria

RATILAL YADAV S/O SHIVAM YADAV R/O Village- Mali, PO and P.S-
Beldaur, Distt.- Khagaria, Bihar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Om Prakash Kumar

For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 341, 323, 327, 448, 307, 379, 504, 506, 302/34 of the Indian Penal Code.

3. As per prosecution case, the accused persons including the petitioner are alleged to have assaulted the informant and also committed theft in the house of the informant. The informant eventually died during course of treatment.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. There is a dispute in respect of land between the parties due to which the petitioner has falsely been implicated in this case. From perusal



of FIR, it appears that no specific overt-act of assaulting is attributed against the petitioner rather general and omnibus allegation leveled against him. Moreover, similarly situated co-accused namely, Rana Yadav has already been granted bail by a co-ordinate Bench of this Court vide order dt. 19.4.2023 passed in Cr. Misc. No. 11493 of 2023 and in support of this Annexure-5 has been annexed with this petition. It is further submitted that the petitioner is languishing in judicial custody since 3.9.2022.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Beldaur P.S. Case No. 171 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 Chief Judicial Magistrate, Khagaria.

(Sunil Kumar Panwar, J)

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