

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33243 of 2023

Arising Out of PS. Case No.-37 Year-2021 Thana- SIWAN MUFFASIL District- Siwan

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ARUN KUMAR YADAV @ ARUN YADAV Son of Ram Barai Yadav @
Rambadai Chaudhari Resident of village - Barahani Ke Tola, Barahani, P.S. -
Siwan Muffasil, Distt. - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Rajendra Kumar Jain
For the Opposite Party/s : Mr.Arun Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 02-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 302, 120B, 341, 323,
307, 504, 506, 379, 354/34 of the Indian Penal Code.

3. As per FIR, all the accused persons started
assaulting the Devar's son of the informant and her family
members. It is further alleged that the petitioner assaulted by
means of hockey to the informant's husband due to which he
died.



4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case due to old dispute. He has committed no offence. The informant has not alleged any motive of the petitioner for the alleged incident causing death of the husband of the informant. During investigation, the witnesses stated about the factum of love affairs with Arvind Kumar (son of Devar of the informant) and daughter of the co-accused Adalt Chaudhary and due to the said reason dispute arose between the parties and the husband of informant died by the assault of the accused persons. He further submitted that the Postmortem report is not consonance with the prosecution case in respect of inflicting the injury. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 10.02.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the



satisfaction of the learned Court below in connection with
Siwan Muffasil P.S. Case No. 37 of 2021.

(Sunil Kumar Panwar, J)

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