

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33156 of 2023**

Arising Out of PS. Case No.-55 Year-2021 Thana- TRIVENIGANJ District- Supaul

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Bihari Yadav @ Bihari Kumar, S/o Sonai Yadav, R/o Village-Jaraila, Ward
No.-06, P.S- Triveniganj, Distt.- Supaul.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Arun, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

2 23-06-2023 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The accused/petitioner seeks bail in connection
with S.T. No.495 of 2022 arising out of Tribeniganj P.S. Case
No.55 of 2021 registered for the offence punishable under
Sections 143, 149, 447, 504, 114, 341, 323 and 302 of the Indian
Penal Code.

The accused/petitioner named in the FIR and is in
custody since 10.11.2022.

Allegation against petitioner is to commit murder
of the father of informant along with other co-accused persons,
causing head injuries, where occurrence is founded over land
dispute.



It is submitted by learned counsel for the petitioner that the occurrence is free fight in nature where both parties received injuries. It is submitted that the allegation is appearing very much general and omnibus against this petitioner as per FIR. It is further submitted that after investigation, the charge-sheet was submitted under Section 304 of the Indian Penal Code. While concluding argument, it is submitted that the petitioner is a man of clean antecedent and moreover investigation of this case has been completed for which charge-sheet has been submitted and, as such, there is no chances of tampering with the evidence.

Learned APP opposes the prayer for bail.

In view of the above-mentioned facts and circumstances as allegation to cause fatal assault is appearing very much general and omnibus, where after the investigation, the charge-sheet has been submitted under Section 304 of the Indian Penal Code, accordingly, the petitioner above-named is directed to be released on bail 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 District and Sessions Judge-I, Supaul in connection with S.T. No.495 of 2022 arising out of Tribeniganj P.S. Case No.55 of 2021, subject



to the conditions as laid down under Section 437(3) of the
CrPC.

(Chandra Shekhar Jha, J.)

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