

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33280 of 2022

Arising Out of PS. Case No.-108 Year-2021 Thana- SILAO District- Nalanda

Shankar Yadav Son Of Late Kesar Yadav Resident Of Village - Balwachak,
P.S.- Silao, Distt.- Nalanda.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 33636 of 2022

Arising Out of PS. Case No.-108 Year-2021 Thana- SILAO District- Nalanda

Murari Yadav S/O Dinesh Yadav R/O Village- Balwachak, P.S.- Silao,
District- Nalada.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 33280 of 2022)

For the Petitioner/s : Mr.Raj Kishor Prasad

For the Opposite Party/s : Mr.Sunil Kumar Pandey

(In CRIMINAL MISCELLANEOUS No. 33636 of 2022)

For the Petitioner/s : Mr.Raj Kishor Prasad

For the State : Mr.Sunil Kumar Pandey

For the informant : Mr. Pankaj Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 02-03-2023 Heard learned counsel for the petitioners, learned
counsel for the informant and learned APP for the State.

The petitioners have filed the instant application for
grant of regular bail in a case registered for the offences
punishable under Sections 341, 323, 354(A), 354(B),



308/34 of the Indian Penal Code and Section 8 of POCSO Act.

The prosecution case in nutshell is that Murari Yadav (petitioner in Cr. Misc. No. 33636 of 2022) entered into the house of informant and tried to disrobe her daughter. In the morning when the informant raised protest, then co-accused Dinesh Yadav assaulted the informant with lathi and Shankar Yadav (petitioner in Cr. Misc. No. 33280 of 2022) assaulted her daughter with rod due to which she sustained head injury.

It is submitted by learned counsel for the petitioners that the petitioners are innocent and they have committed no offence. They have falsely been implicated in the present case. Both parties are agnates and in the background of land dispute, present case has been registered with false and concocted allegations. There is neither any eye witness nor any independent witness of the alleged occurrence. There is an inordinate delay of more than 20 days in lodging the F.I.R. Moreover, the petitioners are languishing in judicial custody for more than a year.



Learned APP appearing for the State and learned counsel for the informant have vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Silao P.S. Case No. 108 of 2021 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned 7th Additional District & Sessions Judge-cum-Special Judge, POCSO, Biharsharif, Nalanda.

(Sunil Kumar Panwar, J)

nirajkrs/-

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