

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35315 of 2022

Arising Out of PS. Case No.-28 Year-2022 Thana- BARAHAT District- Banka

PRITAM YADAV Son of Bhawesh Yadav Resident of Village - Mirzapur,
P.s.- Barahat, Distt.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Veer

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 04-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 147, 148, 149, 323,
333, 353, 307, 506 of the Indian Penal Code.

As per allegation in the FIR, petitioner along with
other co-accused persons have created hindrance by pelting
stones to the police party in discharging their official duty while
they intercepted a tractor loaded with sand. Specific allegation
against the petitioner is of assaulting to SDPO, Banka by means
of lathi.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. General and omnibus allegations have been levelled



against him. Allegation of assaulting to SDPO, Banka by the petitioner is totally falsely and not believable as at the time of alleged occurrence, he was under custody of the police force and for his release 20-25 other co-accused persons arrived there and attacked upon personnel for release of the petitioner. No any independent witness is examined. He has been falsely implicated in the present due to high handedness of police party. As per injury report, doctor opined bleeding and lacerated wound on scalp kept the opinion reserve. Petitioner is in custody since 09.02.2022.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case, 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 CJM, Banka in connection with Barahat P.S. Case No. 28 of 2022.

(Sunil Kumar Panwar, J)

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