

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35557 of 2023

Arising Out of PS. Case No.-389 Year-2022 Thana- JAGDISHPUR District- Bhagalpur

BIPIN YADAV Son of Late Santlal Yadav RESIDENT OF VILLAGE
BADLUCHAK YADAV TOLA, PS JAGDISHPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar

For the Opposite Party/s : Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 11-10-2023 Heard learned counsel for the petitioner and learned
APP for the State and learned counsel for the informant.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 341, 323, 307, 302, 447, 504, 506/34 of the Indian Penal Code.

It is case of assaulting by the petitioner along with other accused person by means of lathi due to which wife of the informant sustained injury on her head and succumbed to injury.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. He has falsely been implicated in the present case by the informant due to previous enmity. The informant is not the eye witness to the alleged occurrence. General and omnibus allegation has



been levelled against the petitioner and there is no specific allegation attributed to him. The postmortem report reveals the cause of death is head injuries by hard and blunt substance but injuries were not attributed to this petitioner. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. It is also submitted that petitioner is languishing in judicial custody since 16.01.2023.

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 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 in connection with Jagdishpur (Goradih) P.S. Case No. 389 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur.

(Sunil Kumar Panwar, J)

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