

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40636 of 2023

Arising Out of PS. Case No.-140 Year-2021 Thana- KASIMBAZAR District- Munger

Sanku Yadav @ Shivshankar Kumar @ Shanku Yadav Son Of Manoj Yadav
@ Manoj Kumar Resident Of Village- Naulakhkha, Ps- Naya Ramnagar,
Distt- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad

For the Opposite Party/s : Mr.Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-07-2023 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, 341, 323, 324, 307, 302 of the Indian Penal
Code.

The prosecution case as per F.I.R is that all the
F.I.R named accused persons including the petitioner
surrounded the brother of the informant and co-accused
Guddu Yadav assaulted with Chewani, a sharp cut
weapon. It is alleged against the petitioner that he



caught hold the brother of the informant. The victim was thereafter taken to the hospital, but on way, he succumbed to the injuries.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. Both sides are agnates and in the background of some land dispute, the present accusation has been levelled against the petitioner. There is counter version of the occurrence also. There is general and omnibus allegation against the petitioner and the specific accusation of making assault is not against the petitioner. Moreover co-accused Guddu Yadav @ Binod Kumar Yadav has been granted privilege of bail by a coordinate Bench of this Court vide order dated 12.12.2022 passed in Cr. Misc. No. 50592 of 2022. The petitioner is languishing in custody since 23.03.2023.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of



the petitioner.

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 Chief Judicial Magistrate, Munger in connection with Kasim Bazar P.S. Case No. 140 of 2021.

(Sunil Kumar Panwar, J)

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