

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39040 of 2023

Arising Out of PS. Case No.-297 Year-2020 Thana- CHHATAPUR District- Supaul

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Hariom Kumar Son Of Krishna Ballav Yadav Resident Of Village - Jori Pipar,
Police Station - Chhatapur, District - Supaul

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 13-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 341, 323,324, 307, 379, 354(A), 427, 504, 506/34 of the Indian Penal Code.

As per prosecution case, while the informant was going with seeds for cultivation and reach near the house of co-accused Krishna Ballav Yadav, the petitioner along with other accused persons armed with lethal weapons, surrounded him and brutally assaulted. When his son and daughter came to rescue him they were also assaulted them and snatched golden ornaments of his daughter. It is further alleged that when the informant along with his son and daughter was returning after



treatment, they again beating his son and daughter, when his co-villager namely Omprakash Kumar came for rescue, co-accused Om Kumar gave him Dabia blow, the petitioner gave farsa blow and co-accused Krishna Ballav Yadav gave sword blow on his head.

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. No specific allegation is attributed to the petitioner as there are three assailants. There is case and counter case between both the parties. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. It is also submitted in para 7 of the petition that co-accused have been granted anticipatory bail vide order dated 13.01.2022 passed in Cr. Misc. No.48254 of 2021. The petitioner is languishing in judicial custody since 03.01.2023.

Learned APP appearing for the State has 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 Chhatapur (Rajeshwari O.P.)
P.S. Case No. 297 of 2020 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 A.C.J.M.-V,
Supaul.

(Sunil Kumar Panwar, J)

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