

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38956 of 2023

Arising Out of PS. Case No.-40 Year-2023 Thana- SUGAULI District- East Champaran

Bhagwan Yadav, S/O Late Misri Yadav, R/O Village- Bhataha Kachahari Tola,
PS.Sugauli, Dist.East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate

For the Opposite Party/s : Mr.Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-07-2023 Heard learned counsel for the petitioner, informant
and learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Sugauli P. S. Case No. 40 of 2023 lodged on 23.01.2023 under
Sections 147, 148, 149, 341, 323, 324, 307, 379, 385, 504 and
506 of the Indian Penal Code.

3. As per the prosecution case, the First Information
Report has been lodged against nine named accused persons
including the petitioner alleging therein that they all have
attacked the informant, as a result of which the informant got
injured.

4. Learned counsel for the petitioner submits that the
specific allegation against the petitioner is that he is the order
giver. He further submits that the petitioner is in custody since
26.03.2023 having no criminal antecedent. Learned counsel for



the petitioner further submits that one co-accused, namely, Vashishth Yadav @ Bashishth Yadav has been granted regular bail by a co-ordinate Bench of this Court vide order dated 20.04.2023 passed in Criminal Miscellaneous No. 27294 of 2023.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. Learned counsel for the informant vehemently opposes the prayer for bail of the petitioner and submits that there is a direct allegation against the petitioner as an order giver.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Sugauli P.S. Case No. 40 of 2023, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

(Dr. Anshuman, J)

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