

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43943 of 2023

Arising Out of PS. Case No.-1376 Year-2022 Thana- NAWADA District- Nawada

Baleshwar Yadav S/O Laxhman Yadav Resident Of Village- Musan Bigha Ps
Nagar Nawada Dist- Nawada

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Nitish Kumar S/O Upendra Yadav R/O Village- Musan Bigha, Ps. Nagar
Nawada, Dist. Nawada

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Mr. Murli Dhar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 341, 323, 324, 337, 354(B), 307, 504, 506/34 of the Indian Penal Code, section 8 of the POCSO Act and Section 27 of Arms Act.

As per prosecution case, the petitioner along with co-accused persons tried to outrage the modesty of informant's aunt (*bua*) and when she raised alarm, the informant along with others went to rescue her. Upon which, the petitioner caught hold the informant *Bua*, and co-accused Karu Yadav fired upon her due to which she sustained injury.



Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to dirty village politics. As per FIR, the allegation against the petitioner is only caught hold the victim whereas, the specific allegation of firing has been made against co-accused Karu Yadav. It is further submitted that the petitioner is languishing in judicial custody since long.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Nawada P.S. Case No. 1376 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-Vith-cum POCSO Act, Nawada.

(Sunil Kumar Panwar, J)

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