

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45482 of 2023

Arising Out of PS. Case No.-322 Year-2019 Thana- KUCHAIKOTE District- Gopalganj

HARI SHANKAR YADAV Son of Bhadai Yadav R/o village - Mathiya Daya
Ram, P.S.- Kuchaikote, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jagnnath Singh

For the Opposite Party/s : Mr.Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-07-2023 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, 325, 307, 302, 504/34 of the Indian Penal Code.

As per prosecution case, when the mother of the informant had gone to uproot grass in the paddy field along with one Govind Kumar. In the meantime, accused persons including the petitioner were grazing cow and buffalo in the paddy field of the informant. On protest, all the accused persons assaulted Govind Yadav, as a result of which he sustained fracture injury on his head and hand. They also pushed the informant's mother who fell down on the ground



and dead.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Both parties are agnates due to land dispute he has falsely been implicated in this case. There is no specific overt-act of assaulting levelled against the petitioner rather general and omnibus allegation levelled against him. Similarly situated many co-accused persons have already been granted bail by a coordinate Bench of this Court vide order dated 05.08.2021 passed in Cr. Misc. No. 4356 of 2020. It is further submitted that the petitioner is languishing in judicial custody since 17.08.2022.

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 Kuchaikote P.S. Case No. 322 of 2019 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the



like amount each to the satisfaction of learned Additional
Chief Judicial Magistrate-Ist Class, Gopalganj.

(Sunil Kumar Panwar, J)

Manishkumar/-

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