

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44620 of 2022

Arising Out of PS. Case No.-29 Year-2021 Thana- KAJRAILICHAK District- Bhagalpur

1. Anirudh Yadav Son Of Sitan Yadav R/O Village- Naya Tola, Simarya, P.S.- Kajraili, District- Bhagalpur
2. Bishnudeo Yadav Son Of Late Asharfi Yadav R/O Village- Naya Tola, Simarya, P.S.- Kajraili, District- Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal, Advocate

For the Opposite Party/s : Ms.Shaheen Begum,APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 01-02-2023 Heard the learned counsel for the petitioners and the learned APP for the State.

The petitioners seek regular bail in connection with Kajraili P.S. Case No.29 of 2021 registered for the offences punishable under Sections 341, 323, 448, 307, 354(B), 379/34 of the Indian Penal Code.

The allegation is regarding the accused persons including the petitioners herein having entered the house of the informant, whereafter they had abused him and assaulted him. As far as petitioner no.1 is concerned, he is stated to have



inflicted a sabal (iron rod) blow on the back of the informant while the petitioner no.2 is alleged to have inflicted a garasa blow on the forehead of the informant resulting in him sustaining injury.

The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case and they are having clean antecedent. It is submitted that the petitioner no.1 is languishing in custody since 30.04.2022 whereas the petitioner no.2 is languishing in custody since 26.04.2022. The learned counsel for the petitioners has further submitted that the present case arises out of case and counter case, the case filed by the petitioner no.1, i.e. Kajraili P.S. Case No.26 of 2021, being first in time whereas the present case has been numbered as Kajraili P.S. Case No.29 of 2021, hence, it is submitted that on account of some dispute having arisen amongst the parties, altercation had taken place and both the parties had sustained injuries.

Per contra, the learned APP for the State



has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners and taking into account the materials available on record as also considering the fact that the present case arises out of case and counter case, the petitioners are having clean antecedent and are languishing in custody since more than seven months, I deem it fit and proper to direct for release of the petitioners on regular bail.

Accordingly, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM-XIV, Bhagalpur in connection with Kajraili P.S. Case No.29 of 2021.

(Mohit Kumar Shah, J)

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