

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45162 of 2022

Arising Out of PS. Case No.-308 Year-2022 Thana- BARACHATTI District- Gaya

1. KISHORI YADAV Son of Jagdish Yadav Resident of Village - Kahudag, Tola Nimiya Tand, P.s.- Barachatti, Distt.- Gaya.
2. Jagdish Yadav Son of Hira Yadav Resident of Village - Kahudag, Tola Nimiya Tand, P.s.- Barachatti, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anil Kumar Saxena
For the Informant/s	:	Mr. Lokesh Kumar, Mr. Atul Anand
For the State	:	Mr. Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 16-03-2023 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

The petitioners seek regular bail in connection with Barachatti P.S. Case No. 308 of 2022 registered for the offence under Sections 341, 342, 323, 325, 307, 379, 427, 504, 506/34 of IPC and later on added Section 302 of the IPC.

As per prosecution case, the informant alleged that on 13.4.2022, the accused persons including the petitioners armed with conventional weapons and started assaulting to the informant's father due to which he sustained injury. Thereafter, informant's father was taken to hospital and during course of treatment he died.



Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. The informant and the petitioners are agnates due to which these petitioners have falsely been made accused in this case due to village politics. There is no specific overt-act of assaulting attributed to the petitioners rather general and omnibus allegation leveled against them. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. It is further submitted that the petitioners are languishing in judicial custody since 16.5.2022.

Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail and submitted that the informant's father succumbed to injury after one month of the alleged occurrence due to assault by the accused persons.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Barachatti P.S. Case No. 308 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief



Judicial Magistrate, Gaya.

(Sunil Kumar Panwar, J)

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