

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49790 of 2023

Arising Out of PS. Case No.-915 Year-2022 Thana- GOPALGANJ TOWN District-
Gopalganj

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RAJENDRA YADAV Son of Rudal Yadav Resident of village-Manikpur
Nawranga @ Manikpur Nairanga @ Manikpur, Police Station and District-
Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Setu Prateek, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 08-08-2023 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Gopalganj (Town) P.S. Case No. 915 of 2022 registered for the
offence under Sections 147, 148, 149, 323, 324, 307, 325, 504
and 506 of the Indian Penal Code and Section 302 of the IPC
was added later on.

3. The accused/petitioner is named in the F.I.R.
and is in custody since 17.05.2023.

4. The allegation against the petitioner is to
commit murder of the brother of informant along with 12 named
co-accused, by using *Farsa*, *lathi*, *Danda*, *Bhala*, where,
occurrence arises out of land dispute.



5. Learned counsel appearing on behalf of the petitioner submitted that petitioner implicated falsely with present case, out of land dispute. It is submitted that allegation of fatal assault is available against other co-accused person, namely, Balister Yadav and not against this petitioner. It is submitted that similarly situated co-accused persons, namely, Suresh Yadav and Alagu Yadav have already granted bail by one of the learned co-ordinate Bench of this Court, through Cr. Misc. No. 2899 of 2023 dated 17.05.2023. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer of bail.

7. Considering the facts and circumstances as mentioned above and by taking note of the fact as allegation qua physical assault is appearing very much general and omnibus against this petitioner, where, specific allegation as to cause fatal assault is available against co-accused, namely, Balister Yadav coupled with the fact that charge-sheet has already submitted, where, petitioner is in custody since 17.05.2023, let



the petitioner, above named, is directed to be released on bail in connection with Gopalganj (Town) P.S. Case No. 915 of 2022, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned JM, 1st Class, Gopalganj/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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