

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46130 of 2022

Arising Out of PS. Case No.-60 Year-2022 Thana- CHANDI District- Bhojpur

Jhokari @ Dularchand Yadav @ Bhokari Son Of Late Lakshman Yadav @
Lakshman Rai R/O Village- Bishunpur, P.S.- Chandi, District- Bhojpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Nagadeo Choubey Amresh Kumar Sinha
For the Opposite Party/s	:	Uday Kumar
For the State	:	Mr. Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 17-02-2023 Heard learned counsel for the petitioner,

learned counsel for the informant and learned APP for

the State.

The petitioner has filed the instant application

for grant of regular bail in a case registered for the

offences punishable under Sections 302/34 of the Indian

Penal Code.

The prosecution case in nutshell is that

petitioner and other co-accused persons came at the

door of the informant and started shouting. When father

of the informant raised protest, co-accused persons



assaulted him by means of bamboo and iron rod, due to which he succumbed to injuries.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. There is case and counter case between the parties. There is no eye witness of the alleged occurrence. There is no specific allegation against the petitioner rather the allegation levelled him is general and omnibus. Moreover, the petitioner is languishing in judicial custody since 28.04.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Similarly situated co-accused persons have been granted Bail vide order dated 25.01.2023 and 06.02.2023 passed in Cr. Misc No. 49772 of 2022, 41088 of 2022 and 52463 of 2022 respectively by the Co-ordinate Bench of this Court.

Learned APP appearing for the State and learned counsel for the informant have vehemently



opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Chandi P.S. Case No. 60 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 the learned Additional Chief Judicial Magistrate V, Bhojpur, Ara.

(Sunil Kumar Panwar, J)

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