

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46215 of 2022

Arising Out of PS. Case No.-211 Year-2021 Thana- KAUWAKOL District- Nawada

RAJ KUMAR YADAV Son of Late Bhattu Yadav Resident of Village -
Pachamba, P.s.- Kawakol, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manisha Prakash, Adv.

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 31-01-2023 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Kawakol P.S. Case No. 211 of 2021, registered for the offence punishable under Sections 341, 323, 308, 379, 504, 506 and 34 of the Indian Penal Code.

On account of some dispute having arisen pertaining to discharge of hand pump water in the field of the informant, the accused persons including the petitioner had arrived at the house of the informant, surrounded him and then, the co-accused persons, namely,



Vidhan Yadav and Mantu Yadav, had given farsa blow on the head of the informant, resulting in him receiving grievous injuries on his head as has been substantiated by the injury report and then, the petitioner is stated to have lifted the informant and thrown him on the ground.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 9.6.2021. The learned counsel for the petitioner has further submitted that the grievous injury, if any, found by the Doctor, is attributable to the co-accused persons, namely, Vidhan Yadav and Mantu Yadav, however, the petitioner has not been alleged to have given any farsa blow on the head of the informant, hence, a sympathetic view be taken for the purposes of grant of bail.

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 petitioner and taking into account the materials available on record as also considering the fact that that the petitioner has not been alleged to have inflicted any blow on the head of the informant, apart from the fact that the petitioner is having a clean antecedent and is languishing in custody since seven months, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Kawakol P.S. Case No. 211 of 2021.

(Mohit Kumar Shah, J)

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