

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47871 of 2023**

Arising Out of PS. Case No.-172 Year-2019 Thana- KAUWAKOL District- Nawada

Om Prakash Yadav @ Umakant Yadav Son Of Late Kuldeep Yadav Resident
Of Village - Domuhan, Barar, P.S. - Kauwakol, Distt. - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 04-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 341, 323, 302, 504/34 of the Indian Penal Code.

As per prosecution case, the allegation against the petitioner and his wife is that they assaulted the informant and his father due to which informant and his father sustained injuries and due to head injury his father succumbed to injury.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner and informant are own brother and due to family dispute he has falsely been implicated in this case. He has got no criminal antecedent. There is no specific allegation of



assaulting levelled against the petitioner rather the specific allegation of assaulting on the head of the informant's father levelled against co-accused, namely, Saroja Devi who has already been granted bail by a coordinate Bench of this Court vide order dated 07.12.2021 passed in Cr. Misc. No. 33841 of 2021. It is further submitted that the petitioner is languishing in judicial custody since 11.10.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kawakol P.S. Case No. 172 of 2019 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II, Nawada.

(Sunil Kumar Panwar, J)

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