

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50443 of 2023

Arising Out of PS. Case No.-138 Year-2022 Thana- SONO District- Jamui

Kanhaiya Yadav Son Of Yugal Yadav Resident Of Village-Bhalsumia, P.S.-
Sono (Charka Pathar), District-Jamui

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Sumiran Rai

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-10-2023 Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the informant.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 147, 149, 341, 323, 448, 324, 325, 307, 379, 504 and 302 of the Indian Penal Code.

3. Allegation against the petitioner along with other co-accused persons is that they assaulted the informant's nephew along with other persons of the informant side by means of iron rod, hasiya and khanti. It is further alleged that when one Khuni Yadav tried to save the informant's nephew then several co-accused persons have assaulted him by means of iron rod, stone and khanti due to which he sustained injuries and later on he died during the course of his treatment.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to village politics. Nothing specific allegation has been levelled against the petitioner rather general and omnibus allegation has been levelled against him. The allegation against the petitioner is that he assaulted the informant's nephew along with other but the nature of injury of the injured persons are simple as per injury report. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Similarly situated other co-accused persons have already been granted bail by the co-ordinate Bench of this Court vide Annexure-3 series of this petition. Moreover, the petitioner is languishing in judicial custody since 11.02.2023.

5. Learned APP appearing for the state and learned counsel for the informant have opposed the prayer of regular bail.

6. 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 Sono (Charka Pathar) P.S.



Case No. 138 of 2022 on furnishing bail bond of Rs.10,000/-
(ten thousand) with two sureties of the like amount each to the
satisfaction of learned C.J.M., Jamui.

(Sunil Kumar Panwar, J)

shubham/-

U		T	
---	--	---	--

