

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51038 of 2022

Arising Out of PS. Case No.-247 Year-2022 Thana- DARBHANGA SADAR District-
Darbhanga

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Nitish Kumar Yadav Son Of Hari Mohan Yadav R/O Village- Gausa, P.S.-
Sadar, District- Darbhanga

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Iqbal Asif Niazi
For the Opposite Party/s : Mr.Bishweshwar Ram

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-01-2023 Heard learned counsel for the petitioner 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 341, 323, 307, 504,
506/34 of the Indian Penal Code.

The prosecution case in nutshell is that
petitioner along with co-accused persons, variously
armed, entered into the house of the informant. They
started abusing and threatening the informant to vacate
the house. Specific allegation against the petitioner that



he assaulted the nephew of the informant, namely, Gulshan Kumar, by the means of Farsa, due to which he sustained head 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. It is also submitted that petitioner is languishing in judicial custody since 14.05.2022. It is further submitted that there is previous enmity and land dispute between the parties. There is case and counter case between them. As per the injury report, nature of injury is grievous in nature and caused by hard and blunt substance which is not in consonance with the fact of the prosecution. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has 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 Sadar (Sonki O.P.) P.S. Case No. 247 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 Chief Judicial Magistrate, Darbhanga.

(Sunil Kumar Panwar, J)

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