

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48750 of 2023**

Arising Out of PS. Case No.-510 Year-2022 Thana- KONCH District- Gaya

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FAGUNI YADAV SON OF LATE MAHABIR YADAV RESIDENT OF
VILLAGE - KARMA, POLICE STATION - KONCH, DISTRICT - GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sayad alamdar Hussain, Adv.

For the Opposite Party/s : Mrs.Dr. Indihar Kumari, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

- 2 09-08-2023 1. Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.
2. Heard learned counsel for the petitioner and learned A.P.P. for the State.
3. The petitioner has preferred this application for grant of regular bail in connection with Konch P.S. Case No. 510 of 2022 dated 3.11.2022 registered for the offence punishable u/s 147, 148, 149, 307, 354, 379, 504, 506 and later on 302 of the Indian Penal Code was added.
4. As per the prosecution case, the petitioner and the co-accused persons holding lathi, danda and iron rod are alleged



to have abused and assaulted the informant and his father causing broken injuries on their heads. The reason behind the occurrence is stated to be land dispute between the parties.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case due to land dispute. There is general and omnibus allegation against the petitioner. Nothing incriminating material has been recovered from the conscious possession of the petitioner. There is case and counter case between the parties. Learned counsel has further submitted that the petitioner is an old person aged about 65 years. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 7.11.2022.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that during the course of treatment, the father of the informant died on 03.11.2022.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court



concerned, Gaya in connection with Konch P.S. Case No. 510
of 2022.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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