

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55309 of 2023

Arising Out of PS. Case No.-150 Year-2022 Thana- HASANPUR District- Samastipur

PANKAJ KUMAR @ PANKAJ YADAV son of Late Nepal Yadav Village-
Paridah Ps- Hasanpur Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Hasanpur P.S. Case No. 150 of 2022 dated 28.05.2022, instituted for the offence punishable under Sections 147, 148, 149, 337, 338, 302 of the Indian Penal Code.

3. The prosecution case, in brief, is that on 26.05.2022 at about 10:00 am petitioner along with other named accused person has come to the house of the informant and asked the informant's brother-in-law (deceased) to return the loan of 30,000/- but on his incapability to return the said amount, all the accused persons started to assault the deceased and when tried to escape one miscreant namely Jitendra Yadav fell and died in order to catch the deceased. It is further alleged that on death of



Jitendra Yadav, all the accused person searched the informant's brother-in-law and brutally assaulted and killed him.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case due to a counter case between the parties filed before the present case on 27.05.2022 bearing Hasanpur P.S. Case No. 149 of 2022 under Sections 307, 302, 34 of the Indian Penal Code by co-accused Deepak Kumar against Sachin Yadav, Kari Yadav (the Brother-in-law of informant), Ramanand Yadav, Raushan Kumar, and Amarjeet Yadav. It is further submitted that there is no specific allegation against the petitioner and the allegations against the petitioner are general and omnibus in nature. It is further stated that from perusal of the F.I.R., it is evident that Kari Yadav died due to sustained head injury caused by falling on the bricks in the course of fleeing away. Lastly, it has been submitted that the petitioner is in custody since 03.04.2023, having no criminal antecedents and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let



the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM IVth, Rosera, Samastipur in Hasanpur P.S. Case No. 150 of 2022.

(Khatim Reza, J)

Sankalp/-

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

