

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55483 of 2023

Arising Out of PS. Case No.-204 Year-2021 Thana- BHARGAMA District- Araria

Abdhesh Yadav @ Abdhesh Kumar Yadav @ Abhdesb Yadav S/O Late Arun
Yadav R/O Village- Rahariya, Ward No. 12, P.S- Bhargama, Distt.- Araria.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha
For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 30-08-2023 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 accused persons including the petitioner is that they assaulted the husband of the informant with legs, fists and lathi due to which he sustained injuries. Thereafter, he was taken to hospital but during treatment the injured died.

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 previous land dispute. There is no specific allegation levelled against the petitioner



rather general and omnibus allegation levelled against him. It is further submitted that postmortem report shows that there is no external injury was found on the person of the deceased. Similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 25.07.2022 passed in Cr. Misc. No. 17099 of 2022. The petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 03.01.2023.

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 Bhargama P.S. Case No. 204 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. Ist Class, Araria.

(Sunil Kumar Panwar, J)

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