

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.55821 of 2023**

Arising Out of PS. Case No.-4 Year-2023 Thana- BUXAR INDUSTRIAL District- Buxar

Prabhu Nath Yadav @PADAKU Yadav @ Pakanu Yadav Son Of Late  
Rajaram Yadav Resident Of Village- Gagaura, Ps- Buxar Industrial, Distt-  
Buxar

... .. Petitioner/s

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Shailendra Kumar

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      05-09-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

2.The petitioner has prayed for regular bail in a case  
registered for the offence punishable under sections 147, 148,  
149, 341, 323, 324, 307, 302, 379, 504 and 506 of the Indian  
Penal Code.

3. As per prosecution case, the petitioner along with  
other co-accused persons are said to have assaulted the  
informant's side by means of lathi, farsa, iron rod, brick, rama  
and bamboo due to which one Bhadeshwar Yadav from the  
informant's side succumbed to injuries in the way to hospital.

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 land dispute. It is



further submitted that there is no specific overt act of assaulting against the petitioner rather the specific overt act of assaulting upon the deceased is against other co-accused persons, namely, Ramashis Yadav and Tej Narayan Yadav not against this petitioner. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Similarly situated several co-accused persons have already been granted bail vide Annexure-3 series of this petition. Moreover, the petitioner is languishing in judicial custody since 15.04.2023.

5. Learned APP appearing for the state has 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 Buxar (I) P.S. Case No. 04 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar.

**(Sunil Kumar Panwar, J)**

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