

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59014 of 2022

Arising Out of PS. Case No.-42 Year-2022 Thana- KARJAIN District- Supaul

BUCHHI YADAV @ VISHWANATH YADAV @ BICHCHI YADAV SON
OF LATE MUNGALAL YADAV R/O VILLAGE- HARIHARA, WARD NO.
11, P.S.- KARGAIN, DISTRICT- SUPAUL

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suman Kumar Jha, Adv.

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 06-02-2023 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Karjain P.S. Case No. 42 of 2022, registered for the offence punishable under Sections 341, 323, 332, 307, 353, 504, 506 and 34 of the Indian Penal Code.

The case of the prosecution, in brief, is that the informant, who is the S.H.O. of Police Station Karjain, had, on 3.4.2022 at around 10:30 pm., along with the police party, departed from the police station for conducting raid in order to collect information regarding selling of prohibited



liquor, snatching of mobile phones etc. as also for verifying the involvement of one Pranesh Kumar @ Amlendu in the crime being committed. It is also alleged that when the raiding party had gone near the house of the said Pranesh Kumar @ Amlendu and were in the process of making enquiries from him, the petitioner and his grandson, namely, Aman Kumar, had resisted the police party from conducting a raid, however, subsequently, the grandson of the petitioner had also assaulted the informant by lathi (stick).

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 4.4.2022. The learned counsel for the petitioner has further submitted that the petitioner is having a fair antecedent, inasmuch as though he is an accused in one another case, but is on bail in the said case and as far as one another criminal case is concerned, the same has been found to be false, after investigation by the police. It is



further submitted that a general and omnibus allegation has been levelled and as far as the petitioner is concerned, he is not alleged to have assaulted the police party.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the petitioner has not been alleged to have engaged in any sort of overt act and is languishing in custody since 4.4.2022, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Supaul in connection with Karjain P.S. Case No. 42



of 2022.

(Mohit Kumar Shah, J)

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