

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56940 of 2022

Arising Out of PS. Case No.-239 Year-2020 Thana- KHIJARSARAI District- Gaya

Ajay Kumar @ Ajay Yadav @ Karu Yadav Son Of Krishna Yadav R/O
Village- Lodipur, P.S.- Khizersarai, Distt.- Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar

For the Opposite Party/s : Mr.Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Khizersarai P.S. Case No. 239 of 2020 registered under sections 341, 342, 307, 326, 325, 379 and 34 of the Indian Penal Code.

Prosecution case in nutshell is that while the informant was going to his home, in the meantime, all accused persons including petitioner started assaulting upon the informant by means of Gandasa due to which he sustained injury.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case due to land dispute. Nothing incriminating has been recovered from the conscious possession of the petitioner. Both parties are closed agnates. There



is a case and counter case between the parties. It is further submitted that the allegation against the petitioner is general and omnibus in nature rather the specific allegation of assault to the informant is against the co-accused Sanjay Yadav, who has already been granted bail by this co-ordinate Bench of this Court vide order dated.19.05.2021. in Cr. Misc. No. 2466 of 2021 which is annexed as Annexure-4 in this petition. Petitioner has got no criminal antecedent. He is languishing in judicial custody since 15.07.2020.

The application for bail is vehemently opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Khizersarai P.S. Case No. 239 of 2020 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. IV, Gaya.

(Sunil Kumar Panwar, J)

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