

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57608 of 2022

Arising Out of PS. Case No.-42 Year-2021 Thana- MAIGRA District- Gaya

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Bhola Yadav Son Of Late Brihaspat Yadav @ Late Birhapat Yadav Resident
Of Village - Hesra Rampur, Tola Murliganj, P.O.- Maigra, P.S.- Maigra,
District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Yogesh Kumar

For the Opposite Party/s : Mr.Rajiv Nayan

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-01-2023 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 a case registered for the
offences punishable under Sections 147, 148, 149, 341,
323, 324, 307, 427, 435 of the Indian Penal Code and
Section 27 of Arms Act.

The prosecution case in nutshell is that
petitioner along with other co-accused persons, variously
armed, came at the house of the informant and started
assaulting to several members of the informant side. It



is also alleged that petitioners and other co-accused persons demolish the tractor of the informant. Allegation against the petitioner is that he assaulted Surendra Yadav on head.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. It is also submitted that petitioner is languishing in judicial custody since 15.06.2022. It is further submitted that there is case and counter case between the parties. From the perusal of the injury report of Surendra Yadav(Annexure 3), it appears that allegation levelled against the petitioner does not corroborate with prosecution version of the case as injury sustained by Surendra Yadav is on left wrist, which is not vital part. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Moreover, similarly situated co-accused persons have been granted Bail vide order dated 03.08.2022 in Cr. Misc. No. 20937



of 2022 by the co-ordinate Bench of this court.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Maigra P.S. Case No. 42 of 2021 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 Judicial Magistrate, 1st Class, Sherghati, Gaya.

(Sunil Kumar Panwar, J)

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