

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59538 of 2022

Arising Out of PS. Case No.-167 Year-2020 Thana- KHAJAUJI District- Madhubani

RAM DEO YADAV Son of Late Baleshwar Yadav Resident of village-
Khajauli, Ward No-2, Police Station- Khajauli, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar Jha, Advocate
For the Informant/s	:	Mr. Gagandeo Yadav, Advocate
For the State	:	Mr. Vinod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 20-03-2023 Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State.

Petitioner seeks regular bail in connection with Khajauli P.S. Case No. 167 of 2020, registered for the offences punishable under Sections 341, 323, 324, 325, 307, 379, 354, 447, 504, 506 and 34 of the Indian Penal Code.

As per the prosecution, the informant alleged that this petitioner along with co-accused persons assaulted the informant by means of *Lathi, Danda, Iron Rod, Farsa* etc.



Further it is alleged that this petitioner inflicted *Khanti* blow on the informant over a land dispute.

The main submissions advanced by petitioner's counsel are that several persons including the petitioner have been named in the FIR, the petitioner and informant are neighbours, in between them there is a dispute regarding a *Well (Kuan)* which is situated in between the houses of both the parties and a title suit is also running in respect of the said *Well (Kuan)* and there is case and counter case in between both the parties. Further submission is that the petitioner has been languishing in jail since 16.08.2022 and he has fair and clean antecedent.

Learned APP appearing for the State as well as learned counsel for the informant has opposed the prayer for bail and submitted that as per the FIR there is a specific allegation against the petitioner and he inflicted *Khanti* blows at the informant repeatedly hence he does not deserve to the privilege of bail.

Considering the genesis of occurrence, the fair and clean antecedent of the petitioner as mentioned in the petition and his custody period as well as above submissions and also the fact that there is case and counter case in between both the



parties and the injury No. 1 of the informant which is attributed against the petitioner has been opined to be simple in nature by the doctor concerned, in my opinion the petitioner is entitled to be released on bail. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Khajauli P.S. Case No. 167 of 2020.

(Shailendra Singh, J.)

maynaz/-

U		T	
---	--	---	--

