

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58977 of 2022

Arising Out of PS. Case No.-826 Year-2022 Thana- FORBESGANJ District- Araria

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SUNIL YADAV @ SUNIL KUMAR YADAV S/O SIKANDAR YADAV
Resident of Village- Gogi Pothiya, P.S.- Simraha, District- Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhola Prasad

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

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CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY

ORAL ORDER

4 22-03-2023 Heard the learned counsel for the petitioner and

learned APP for the State.

This is an application for regular bail on behalf of

the petitioner for the offences alleged under Sections 147, 149,

341, 323 and 302/34 of the Indian Penal Code, registered in

connection with Forbesganj (Simraha) P.S.Case No. 826 of

2022.

As per allegation, the mob apprehended a cattle

thief. Allegedly the accused persons brutally assaulted the

apprehended person by *lathi*, *danda* etc. and the petitioner was

also amongst them.

The learned counsel for the petitioner has submitted

that he is a person of clean antecedent and the allegation is



general and omnibus. He has submitted further that on similar footing co-accused Shankar Yadav has been granted bail by a coordinate Bench of this court under order dated 27.02.2023. The petitioner is in custody since 06.08.2022.

On the other hand, the learned APP has opposed the prayer for bail and submitted that the petitioner was amongst the mob, which brutally assaulted the deceased. He has also submitted that the witnesses in paragraph nos. 4, 5 and 12 have supported the factum of occurrence.

Considering the above facts and circumstances, especially the fact that co-accused has been granted bail, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Araria in connection with Forbesganj (Simraha) P.S.Case No. 826 of 2022, subject to the following conditions:-

1. The petitioner shall cooperate in the disposal of trial and make available as and when required by the court.

2. If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to



file an application before the court below for
cancellation of the bail of the petitioner and
the learned court below will take decision in
accordance with law.

(Nawneet Kumar Pandey, J)

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