

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.64688 of 2022**

Arising Out of PS. Case No.-234 Year-2022 Thana- KATORIYA District- Banka

AMIN YADAV Son of Basudeo Yadav R/V- Tulsiwaran, P.S- Katoriya, Dist-  
Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Praveen Kumar, Adv.

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP.

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

2      20-02-2023                      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 and the learned APP for the State.

Petitioner seeks regular bail in connection with Katoriya P.S. Case No. 234 of 2022 registered for the offences punishable under Sections 147, 148, 149, 341, 342, 323, 302, 120(B), 504 and 506 of the Indian Penal Code.

As per the prosecution, an altercation took place in between the informant's son and the accused persons including this petitioner on the issue of passing of tractor through his field. It is further alleged that the accused persons along with the



petitioner assaulted the informant's son and when his wife came to rescue his son then these miscreants assaulted his wife, owing to which the informant's wife succumbed to her injuries.

The main submissions advanced by learned counsel Mr. Praveen Kumar appearing for the petitioner are that altogether eighteen persons including the petitioner were named as accused in the FIR and the facts of the FIR clearly go to show that the alleged incident was not pre-planned and any specific role of the petitioner, in assaulting the informant's son and wife has not been revealed in the FIR and the allegation against him is general and omnibus and he has been languishing in jail since 02.07.2022 and having fair and clean antecedent. Further submission is that one similarly situated co-accused namely, Ravi Yadav @ Ravi Kumar is on bail granted by a co-ordinate Bench of this Court vide order dated 07.02.2023 passed in Cr. Misc. No. 58903/2022.

Learned APP Mr. Suresh Prasad Singh appearing for the State has opposed the bail prayer.

In view of the facts, as stated above and mainly considering the petitioner's fair and clean antecedent and his custody period and also the fact that in the FIR, there is no specific allegation against him and altogether eighteen persons



including the petitioner were named in the FIR and any specific role of the petitioner in assaulting the deceased has not been revealed, in my opinion the petitioner deserves to the privilege of 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 Court concerned in connection with Katoriya P.S. Case No. 234 of 2022.

(Shailendra Singh, J)

annu/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

