

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59610 of 2022

Arising Out of PS. Case No.-20 Year-2022 Thana- KARANDAY District- Sheikhpura

BALMIKI YADAV Son of Sahdev Yadav Resident of village - Siyani, P.S.-
Karandey, District - Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vipin Kumar, Advocate

For the Opposite Party/s : Mr.Harendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-01-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in
connection with Karandey P.S. Case No. 20 of 2022
for the offence registered under Sections 147, 341,
323, 448, 354, 354(A), 307, 379, 504 and 506 of
the Indian Penal Code.

The case of the prosecution, in brief,
according to the informant, is that on 21.04.2022
at about 11:00 A.M. when she was at her home,
the accused persons including the petitioner herein
had entered into her house, armed with lathi, rod,
khanti, country made pistol etc., whereafter they



had abused and assaulted her. It is further alleged that when the husband of the informant had rushed to save the informant, the other accused persons had also assaulted him. The petitioner is also alleged to have tried to outrage the modesty of one Kiran Kumari.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, is having a clean antecedent and he is languishing in custody since 27.08.2022. The learned counsel for the petitioner has further submitted that as far as the petitioner is concerned, he has been falsely implicated in the present case only after he had lodged an F.I.R. against the members of the prosecution party bearing Karandey P.S. Case No. 19 of 2022. It is also submitted that other co-accused persons have already been granted the privilege of anticipatory bail vide order dated 08.09.2022 passed in Criminal Miscellaneous No. 44188 of 2022 and in fact the petitioner was also one of the petitioner in the said case, however,



since he had stood arrested, before the said anticipatory bail petition was taken up for hearing, he could not be granted the privilege of anticipatory bail.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that similarly situated co-accused persons have already been granted bail by a Co-ordinate Bench of this Court, apart from the fact that the present case arises out of case and counter case, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the petitioner, above named, is directed to 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 C.J.M., Sheikhpura in connection with



Karandey P.S. Case No. 20 of 2022.

(Mohit Kumar Shah, J)

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