

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58659 of 2022

Arising Out of PS. Case No.-18 Year-2015 Thana- DANDARI District- Begusarai

1. Dipak Yadav @ Dipak Kumar S/O Sri Kari Yadav @ Jai Jai Ram Yadav R/V- Bishanpur, P.S.- Dandari, Distt- Begusarai.
2. Rajesh Yadav @ Sipak Yadav @ Sipak Kumar S/O Sri Kari Yadav @ Jai Jai Ram Yadav R/V- Bishanpur, P.S.- Dandari, Distt- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Pravin Kumar
		Mr. Ajay Kumar Thakur
For the Opposite Party/s :		Mr.Jagdhari Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-02-2023 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners have filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 354, 307, 504, 506 of the Indian Penal Code and Section 302 of the Indian Penal Code was also added subsequently.

As per allegation in the FIR, petitioners along with other co-accused persons, variously armed, came to the field of informant and asked them to leave the field.



When the husband and brother-in-law of the informant protested, they were assaulted due to which brother-in-law of the informant sustained injuries and husband of the informant succumbed to injuries.

It is submitted by learned counsel for the petitioners that the petitioners are innocent and they have committed no offence. They have falsely been implicated in the present case. It is also submitted that no occurrence as alleged by the prosecution has taken place and the deceased died in some other mode and manner after a month of the alleged occurrence and in the background of land dispute, the name of the petitioners have been roped in the present case. It is further submitted that after completing the investigation the petitioners have not been sent up for trial. It is further submitted that petitioners are languishing in judicial custody since 13.07.2022. Moreover, several similarly situated co-accused persons have already been granted Bail by different Co-ordinate Benches of this



Court and the case of the petitioners stands on better footing to that of the co-accused persons.

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 petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Dandari P.S. Case No. 18 of 2015 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Begusarai.

(Sunil Kumar Panwar, J)

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