

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62707 of 2023

Arising Out of PS. Case No.-503 Year-2022 Thana- BAHADURPUR District- Darbhanga

1. NARESH YADAV @ RAM NARESH YADAV Son of Bauku Yadav @ Biku yadav Resident of Village-Abdullahpur, P.S.-Bahadurpur, District-Darbhangha.
2. PRADEEP YADAV Son of Asheshwar Yadav Resident of Village-Abdullahpur, P.S.-Bahadurpur, District-Darbhangha.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Girish Chandra Jha
For the Opposite Party/s	:	Mr.Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-09-2023 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

The petitioners have prayed for bail in a case instituted for the offence under Sections 448, 341, 323, 324, 302, 427 and 380/34 of the Indian Penal Code.

As per FIR, the allegation against the accused persons including the petitioner is that due to previous enmity they assaulted mother of the informant by means of knife and dagger due to which she sustained injury and during treatment she died. It is further alleged that they also damaged household articles and took away total cash of Rs. 2,00,000/- from the house of the informant.



Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Both parties are on litigating term as sister-in-law of the petitioners, namely, Mala Devi was murdered by informant's side, for which Bhagalpur P.S. Case No. 191/2021 was registered and the informant and his family members were put pressure to compromise the above mentioned case and due to which they lodged this case with false and concocted story against the petitioners and their family members. There is no specific allegation of assaulting attributed against the petitioner rather general and omnibus allegation has been levelled against them. It is further submitted that the both the petitioners are languishing in judicial custody for about six months.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Bhadurpur P.S. Case No.



503 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Darbhanga.

(Sunil Kumar Panwar, J)

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