

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.72046 of 2022**

Arising Out of PS. Case No.-132 Year-2018 Thana- KATORIYA District- Banka

SUCHIT YADAV @ SUJIT YADAV SON OF LATE KISHAN YADAV R/O  
VILLAGE- DHOBNI, P.S.- KATORIYA, DISTRICT- BANKA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

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

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

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

3      01-05-2023                      Let the defect(s), 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.

2.              Heard learned counsel for the petitioner and learned APP for the State.

3.              Petitioner seeks regular bail in connection with Katoriya P.S. Case No.132 of 2018 dated 28.07.2018 registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504 and 34 of the Indian Penal Code.

4.              The main submissions advanced by the learned counsel for the petitioner are that as per the allegation levelled in the FIR the petitioner inflicted axe blow at the head of the informant's wife but as per the medical expert's opinion



the injury found at the head of the informant's wife was opined to be caused by hard and blunt object and the same is against the nature of the weapon mentioned in the FIR and moreover there is no allegation of having caused repeated blows by the alleged weapon by this petitioner on the person of the victim and the petitioner has fair and clean antecedent and has been languishing in jail since 05.09.2022 and against him the investigation has been completed.

5. Learned APP appearing for the State has opposed the bail prayer.

6. Considering the above submissions and mainly the facts that the investigation has been completed against the petitioner and he has been languishing in jail for about last eight months and against him there is no allegation of having caused axe blow on the head of the informant's wife repeatedly and as per submission made above, the nature of weapon as alleged in the FIR is contradictory to the medical expert's opinion, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner be released **on bail after framing of charge, if the same has not been framed** on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount



each to the satisfaction of the concerned Court in connection  
with Katoriya P.S. Case No.132 of 2018.

**(Shailendra Singh, J)**

sangam/-

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