

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67194 of 2023

Arising Out of PS. Case No.-143 Year-2023 Thana- GOPALPUR District- Bhagalpur

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AJEET YADAV SON OF LATE NATHU YADAV VILL BHAWANIPUR,
PS- GOPALPUR (RANGRA), DIST- BHAGALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Tapeshwar Sharma, Adv

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Gopalpur (Rangra) P.S. Case No. 143 of 2023 registered on
24.03.2023 lodged under Sections 341, 323, 324, 307, 379,
326,/34 of the I.P.C.

3. As per the prosecution case, F.I.R. has been lodged
against three named and one unknown accused persons.

4. Counsel for the petitioner submits that the
allegation against the accused persons is that they assaulted the
informant and his uncle. Counsel submits the specific allegation
of assault is against Rupesh Yadav who alleged to have stabbed
with knife in the stomach of the brother of the informant. He
submits that no specific allegation against the present petitioner.



5. Counsel further submits that a similarly situated person namely Pritam Kumar has been granted bail by Co-ordinate Bench of this Court vide order dated 21.07.2023 passed in Cr. Misc No. 42141 of 2023. He further submits that petitioner is in custody since 06.07.2023 having one criminal case pending against him, in which he is on bail.

6. Learned counsel for the State opposes the prayer for bail and submits that it is true that allegation of stabbing knife is not on the petitioner but the present petitioner and the accused Gaurav Yadav had caught hand of the informant and the brother, thereafter, Rupesh Yadav gave knife blow on the stomach of the brother of the informant.

7. Upon perusal of the order sheet it transpires that the Court has granted bail to the accused who was not named in the F.I.R. and no specific allegation was there against them.

8. In the present facts and circumstances of this case and the submissions made above, this Court is not inclined to grant bail to the petitioner.

9. However, the trial Court is directed to release the petitioner on bail by imposing its own condition so that the petitioner may not evade appearance during the trial, if he renews his prayer for bail after framing of charge.



10. With this observation, the bail application stands disposed of.

(Dr. Anshuman, J)

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