

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69718 of 2022

Arising Out of PS. Case No.-28 Year-2020 Thana- TIKAPATTI District- Purnia

CHHATISH YADAV @ CHHATIS YADAV Son of Buddhu Yadav Resident
of Village- Tikapatti, P.S.- Tikapatti, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Adv.

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 21-03-2023 Let the defects, 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.

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

Petitioner seeks regular bail in connection with Sessions Trial No. 263/2022 arising out of Tikapatti P.S. Case No. 28 of 2020 registered for the offences punishable under Sections 341, 323, 324 and 307/34 of the Indian Penal Code.

Allegedly, an altercation took place in between the informant's father and the petitioner on objection raised by the informant's father as to why the petitioner's she-goat grazed the vegetables from the informant's field. It is further alleged that



this petitioner along with other co-accused persons assaulted the informant and informant's father by means of *lathi*, owing to which the informant and informant's father sustained injuries.

The main submissions advanced by petitioner's counsel are that a petty dispute with regard to the petitioner's she-goat grazing the vegetables in the field of the informant, is said to be the genesis of the occurrence and the facts of the FIR clearly show that the alleged occurrence was not pre-planned and the victim namely Pappu Mandal, who is stated to have been assaulted by this petitioner, initially got treatment at Referral Hospital, Rupauli (Purnea) and according to the opinion given by the Doctor concerned of the said Referral Hospital, the said injured person sustained simple injury. Further submission is that the petitioner has fair and clean antecedent and has been languishing in jail since 07.05.2022 and against him, the investigation has been completed.

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

In view of the facts, as stated above and mainly considering the genesis of the occurrence and also the fact that as per the FIR, there is no allegation of repeated blows by this petitioner to the informant's father, who is stated to have been



assaulted by this petitioner by means of Lathi and also taking into account the petitioner's custody period, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Sessions Trial No. 263/2022 arising out of Tikapatti P.S. Case No. 28 of 2020.

(Shailendra Singh, J)

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