

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73294 of 2022

Arising Out of PS. Case No.-184 Year-2021 Thana- KALUAHI District- Madhubani

1. Baijnath Yadav Son Of Asharfi Yadav Resident Of Village- Narar Goth, P.S.- Kaluahi, District- Madhubani
2. Sanjay Yadav Son Of Asharfi Yadav Resident Of Village- Narar Goth, P.S.- Kaluahi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash, Mr. Gagan Deo Tadav
For the Opposite Party/s : Mr.Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-03-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek regular bail in connection with Kaluahi P.S. Case No. 184 of 2021 registered for the offence under Sections 143, 341, 323, 325, 448, 452, 307, 379, 504 of the Indian Penal Code.

As per prosecution case, when the informant was at his home, the accused persons including the petitioner came and started assaulting him. The petitioner also tried to strangle him by putting gamcha in informant's neck as a result of which the informant sustained injuries.

Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. From



perusal of FIR itself, it is evident that the informant and accused Ram Ekbal Yadav were candidate in Panchayat Election, in which, the co-accused was elected and due to that annoyance the informant lodged this false case against the petitioners. It is further submitted that the occurrence took place on 24.11.2021 but the FIR has been lodged in delay of nine days on 4.12.2021. As per Medical report, only one injury is grievous in nature which is sustained by injured whereas two injuries are simple in nature. Petitioners are languishing in custody since 24.8.2022.

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, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Kaluahi P.S. Case No. 184 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned J.M., Madhubani.

(Sunil Kumar Panwar, J)

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