

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73998 of 2023

Arising Out of PS. Case No.-217 Year-2023 Thana- MURLIGANJ District- Madhepura

Dinesh Yadav, Son of Sudisht Yadav, Resident of village - Navtol Bishanpur
Ward No.- 12, P.S.- Murliganj, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ashok Kumar Garg, Advocate
For the Opposite Party/s :	Mr. Anil Kumar Singh No. 1, APP
For the Informant :	Mr. Uday Chand Prasad, Advocate
	Mr. Manoj Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 2 29-11-2023 1. Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the informant.
2. The petitioner has preferred this application for grant of regular bail in connection with Murliganj P.S. Case no. 217 of 2023, registered under sections 302, 147 and 120B of the Indian Penal Code.
3. As per the prosecution case, it is stated that the husband of the informant was called at his sister's place for settling dispute between the parties. The fifteen named accused persons including 5-6 unknown accused, as a result of past enmity conspired and started to abuse and assault the informant's husband. It is stated that on the orders of Sharda Devi and Poonam Devi, co-accused Arun Yadav, Shailendra



Yadav on one hand and Sanjeev Kumar and Manoj Kumar on the other started to strangulate the informant's husband. The other accused persons assaulted him with *lathi-danda* brutally injuring him. He was taken to the hospital but died on the way.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case because of dispute between the parties which is evident from the FIR itself. The allegations against the petitioner are general and omnibus in nature. The petitioner is in custody since 12.6.2023 and investigation in the case has concluded. He has no criminal antecedent.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant. Learned counsel for the informant submits that not only the petitioner is named in the FIR but there is direct allegation against him that he along with others called the husband of the informant. As a result of a well planned conspiracy, the accused persons including the petitioner herein came variously armed and brutally assaulted the informant's husband which resulted in his death.

6. Having heard learned counsel for the parties and taking into consideration the contents of the FIR, the allegations



against the petitioner being general and omnibus in nature, the specific allegation being against Arun Yadav, Shailendra Yadav, Sanjeev Kumar and Manoj Kumar, the petitioner being in custody for more than 5 months since 12.6.2023 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Murliganj P.S. Case no. 217 of 2023, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate Ist, Madhepura.

(Partha Sarthy, J)

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