

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72070 of 2023

Arising Out of PS. Case No.-387 Year-2022 Thana- HARSIDHI District- East Champaran

Daya Shankar Yadav Son Of Arjun Yadav Resident Ujjain Lohiyar, P.S.-
Harsidhi, District- East Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar

For the Opposite Party/s : Mr.Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-11-2023 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 354(A), 302, 379, 504 of the Indian Penal Code.

3. The allegation against the petitioner and other co-accused persons is that they, variously armed, started to construct house on the land of informant. When father-in-law of the informant raised objection, co-accused Naresh Yadav gave khanti blow due to which



he sustained head injuries. Thereafter, accused persons assaulted him with lathi and iron rod, due to which he succumbed to injuries during the course of treatment. When the informant came for rescue, co-accused Sunil Singh assaulted her with iron rod. During assault, co-accused Nand Kishore snatched gold mangalsutra of informant. Allegation against the petitioner is that he assaulted the informant on her abdomen with leg, due to which she sustained injuries.

4. It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. There is case and counter case between the parties. The specific allegation of assaulting of father-in-law of informant is levelled against other co-accused, not this petitioner. Moreover, the petitioner is languishing in judicial custody since 06.04.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Similarly situated several co-accused persons have been



granted bail by co-ordinate Bench of this Court.

5. Learned APP appearing for the State has vehemently opposed the prayer for Bail.

6. Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Hrsidhi P.S. Case No. 387 of 2022 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 C.J.M., East Champaran, Motihari.

(Sunil Kumar Panwar, J)

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