

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80153 of 2023

Arising Out of PS. Case No.-33 Year-2023 Thana- BHAGWANPUR District- Kaimur
(Bhabua)

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DAU YADAV SON OF SHIVMURAT YADAV RESIDENT OF VILLAGE-
PAHARIYA, PS- BHAGWAN PUR, DIST- KAIMUR AT BHABUA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Kirshna Prasad Singh, Advocate
		Mr. Manoj Kumar, Advocate
		Mr. Dharmendra Kumar Singh, Advocate
For the Opposite Party/s :		Mr.Dashrath Mehta, APP
For the Informant	:	Mr. Rajesh Kumar Pathak, Advocate

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 20-12-2023 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Bhagwanpur P.S. Case No.33 of 2023 registered for the offence
under Sections 341, 323, 307, 379, 504 and 506/34 of the Indian
Penal Code.

3. The allegation against the petitioner is to
have assaulted the brother of the informant by means of Gadasa,
rummy, lohbanda, etc. along with other co-accused persons.

4. Learned counsel appearing on behalf of the



petitioner has submitted that petitioner has falsely been implicated in the present case. It has further been submitted that from the order of learned Additional Sessions Judge- III, Kaimur at Bhabhua passed in B.P. No.548 of 2023 on 15.09.2023, it reflects that only one injury found on the body of injured, namely, Chandradeep Yadav, which is 5cm length x 2 cm depth lacerated wound on frontal side of head. It has further been submitted that similarly situated co-accused persons have already been granted bail by different co-ordinate Benches of this Court vide order dated 21.07.2023 passed in Cr. Misc. No. 28743 of 2023 and order dated 24.05.2023 passed in Cr. Misc. No.29109 of 2023. It is further submitted that the petitioner is in custody since 17.08.2023.

5. Learned APP appearing for the State as well as learned counsel appearing on behalf of the informant opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances and similarly situated co-accused persons have already been granted bail by co-ordinate Bench of this Court, let the petitioner, above named, is directed to be released on bail in connection with Bhagwanpur P.S. Case No.33 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 learned Chief Judicial
Magistrate, Kaimur at Bhabua.

(Ramesh Chand Malviya, J)

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