

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71039 of 2022

Arising Out of PS. Case No.-271 Year-2022 Thana- PARAIYA District- Gaya

Chamaru Yadav, Son of Late Ramdeo Yadav, R/V- Lodipur Pokhar, P.S.-
Paraiya, District- Gaya.

... .. Petitioner/S

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur, Advocate
For the Opposite Party/s: Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 17-03-2023 Heard learned counsel appearing on behalf of the pe-
titioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Paraiya
P.S. Case No. 271 of 2022 registered for the offence under Sec-
tions 147, 148, 149, 341, 323, 325, 307, 504 and 506 of the In-
dian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 29.09.2022.

The allegation against the petitioner is to assault infor-
mant and others alongwith other co-accused persons due to
neighbourhood disputes and differences arises out of drainage
issues.



Learned counsel appearing on behalf of the petitioner submitted that though allegation against this petitioner is specific to assault on the head of one Mukesh Yadav during the course of occurrence, causing injury, but upon medical examination, said injury found simple in nature, suggesting that said injury was not may cause death in ordinary course of nature. It is also submitted that the assault as alleged caused by this petitioner is single, not repeated without having any intervening circumstances, negating the intention to cause death. While concluding the argument, it is submitted that petitioner found involved in 2 more criminal cases, where he is on bail and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as nature of injury as found upon injured, which alleged to assault by this petitioner is appearing simple in nature, coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Paraiya P.S. Case No. 271 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
learned Judicial Magistrate-1st Class, Gaya/concerned Court,
subject to the conditions as mentioned under Section 437(3) of
the Cr.P.C.

(Chandra Shekhar Jha, J)

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