

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78433 of 2023

Arising Out of PS. Case No.-130 Year-2023 Thana- KHAJAULI District- Madhubani

Parmeshwar Yadav S/O Ghutar Yadav Village- Kashi Tole Chatra, Ps.
Khajauli, Dist. Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagan Deo Yadav, Adv. Mr. Ravi Prakash, Adv. Mr. Ravi Prakash, Adv.
For the Opposite Party/s	:	Mr.Nirmal Kumar Sinha, Adv.

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 06-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Khajauli P.S. Case No. 130 of 2023 instituted for the offences under Sections 447, 341, 323, 324, 325, 307, 354(B), 379, 34 of the Indian Penal Code.

3. As per allegation made in the F.I.R., the accused persons including the petitioner armed with deadly weapons came at the Darwaja of the Informant and abused the Informant in filthy language and, thereafter, assaulted the Informant with Farsa and lathi due to which he sustained grievous injury. When his wife came for rescue, they also assaulted her and she also received fatal injury. The accused persons also assaulted the two



sons of the Informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. There is a case and counter case between the parties. Learned counsel for the petitioner submits that there is no specific allegation of any overt act against the petitioner. The petitioner and the Informant are gotiya and due to land dispute, the present false case has been instituted. The petitioner has no criminal antecedent and is languishing in judicial custody since 31.08.2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the entire facts and circumstances of the case and taking into account the petitioner having no criminal antecedent as also the period of custody, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Khajauli P.S. case No. 130 of 2023.

(Rudra Prakash Mishra, J)

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