

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.443 of 2023

Arising Out of PS. Case No.-109 Year-2022 Thana- MANPUR District- West Champaran

Bilash Yadav @ Belash Yadav Son Of Late Bagad Yadav Resident Of Village-
Damrapur, P.S.- Manpur, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 04-05-2023 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

The accused/petitioner is named in the F.I.R. and apprehended his arrest in connection with Manpur P.S. Case No.109 of 2022 registered for the offences punishable under Sections 341, 323, 324, 325, 326, 307, 379, 504 and 506/34 of the Indian Penal Code.

The allegation against the petitioner is to assault informant and others alongwith other co-accused persons/family members causing bodily injuries, having intention to cause death, where dispute arises out of longstanding land disputes.

Learned counsel appearing on behalf of the petitioner submitted that occurrence is of free fight in nature where



petitioner side also lodged a counter case which registered as Manpur P.S. Case No.110 of 2022. It is submitted that occurrence is of free fight, it cannot be said that petitioner was under intention to cause death of informant/injured. It is submitted that allegation against this petitioner is to assault informant as to cause injury though grievous in nature but same found on palm, which is non-vital part of the body, suggesting that same is not sufficient to cause death in ordinary course of nature. While concluding the argument it is submitted that petitioner is a man of clean antecedent.

Learned APP appearing on behalf of the State, opposes the prayer for bail.

In view of the facts and circumstances as mentioned above and by taking note of the occurrence being free fight and nature of injury, which is available on the non-vital part of the body, where petitioner is a man of clean antecedent, accordingly, the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Judicial Magistrate-1st Class, Bettiah, West



Champaran/concerned Court below where the case is pending in connection with Manpur P.S. Case No.109 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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