

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4339 of 2024

Arising Out of PS. Case No.-75 Year-2022 Thana- KUSHESHWARASTHAN District-
Darbhanga

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Dharmendra Yadav Son of Upendra Yadav @ Khalat Yadav R/o vill -
Tilkeshwar, P.S. - Kusheshwar Asthan (Tilkeshwar O.P.), Distt. - Dharbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vivekanand Singh

For the Opposite Party/s : Mr. Murli Dhar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 147, 148, 341, 323, 307, 379, 354, 504, 506 and 109 of the Indian Penal Code and Section 27 of Arms Act.

3. Allegation against the petitioner along with other co-accused persons is that they came at the shop of the uncle of the informant and started abusing. When informant protested then Co-accused fired upon the informant due to which he sustained injury when one Hareram Mukhiya and his wife came to save the informant then co-accused person assaulted by



means of *gadasa* on his head due to which he sustained injury. Thereafter, petitioner assaulted him by means of butt of the pistol. They took out some cash along with other material from the shop of the uncle of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to village politics and land dispute. As per FIR, the allegation against this petitioner to assault upon one Hareram Mukhiya by means of butt of the pistol whose injury is simple in nature as per injury report which has been annexed at Annexure-3 of this petition. Nothing looted article has been recovered from the conscious possession of the petitioner. Moreover, the petitioner is languishing in judicial custody since 13.09.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kusheshwar Asthan P.S. Case No. 75 of 2022 on furnishing bail bond of Rs.10,000/- (ten



thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Biraul.

(Sunil Kumar Panwar, J)

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