

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.6478 of 2024**

Arising Out of PS. Case No.-365 Year-2023 Thana- NAWADA MUFFASIL District- Nawada

Bijendra Kumar @ Bijendra Yadav Son of Sudhir Yadav R/o vill - Triloki  
Bigha, P.S. - Nawada Muffasil, Distt. - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                                      |
|--------------------------|---|------------------------------------------------------|
| For the Petitioner/s     | : | Mr. Sanjay Kumar Pandey No.5, Adv.                   |
| For the Opposite Party/s | : | Mr. Gauri Shankar Gupta, APP                         |
| For informant            | : | Mr. Birendra Kumar,<br>Mr. Kumud Kishore, Advocates. |

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

3      16-04-2024                      Heard learned counsel for the petitioner, learned APP  
for the State and learned counsel for the informant.

2. The petitioner has preferred this application for grant of regular bail in connection with Nawada Mufassil PS Case no. 365 of 2023 registered under sections 307, 147, 149, 341, 448, 323, 379, 385, 354, 506 and 427 of the Indian Penal Code.

3. As per the prosecution case, the informant states that five named accused persons including the petitioner herein came variously armed. On the orders of Bali Yadav, Sudhir Yadav struck with a *Gadasa* on the head of Kanti Devi causing serious injuries. It is further stated that petitioner and Nitish Yadav threatened for *Rangdari* on the point of rifle. Thereafter,



Nitish Yadav is said to have struck Sitaram Yadav with the butt of the rifle and further the petitioner along with Nitish Yadav are said to have struck Pappu Kumar with the butt below his eyes.

4. Learned counsel appearing for the petitioner submits that the petitioner has been falsely implicated in the case. So far as the petitioner is concerned, the allegations besides being general and omnibus in nature, no material injury has been found on the body of Pappu Kumar. The grievous injury found on the informant Kanti Devi is directly attributable to Sudhir Yadav. The petitioner is in custody since 25.11.2023 and charge-sheet has been submitted in the case.

5. Application for bail is opposed by learned APP for the State and learned counsel for the Informant. Learned counsel for the informant submits that the petitioner is said to have assaulted Pappu Kumar and injuries have been found on him also.

6. In response, learned counsel for the petitioner submits that the allegations on the petitioner of assault on Pappu Kumar are not substantiated from the injury report.

7. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R. together with the material that has transpired in course



of investigation, the petitioner being in custody for four months since 25.11.2023 and the charge-sheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Nawada Mufassil PS Case no. 365 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 Additional Chief Judicial Magistrate-1, Nawada.

**(Partha Sarthy, J)**

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