

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8940 of 2024

Arising Out of PS. Case No.-1030 Year-2023 Thana- KHAGARIA District- Khagaria

Fudan Yadav Son of Late Suresh Yadav R/o vill - Ramtola Kothiya, ward no.
03, P.S. - Muffasil, Distt. - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indrajit Kumar, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 22-02-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Khagaria (Mufassil) P.S. Case no.1030 of 2023 registered under sections 307, 341, 323, 385, 504, 506 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that as a result of some altercation between his grand son and one Pandav Yadav, there was a fight between them pursuant to which nine named accused persons including the petitioner herein were brutally assaulted him. Thereafter the informant states that Guddu Sinha promised to get the matter settled, however, the accused persons once again came and assaulted the informant and others as a result of which Abhishek Kumar



sustained injury on his head. It is further stated that several others were injured and the petitioner took away Rs.25,000/- from his pocket and also threatened him.

4. It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. The allegation of assault is general and omnibus in nature. The reason for false implication is enmity between the parties. The petitioner is in custody since 29.10.2023 and undertakes to cooperate in the case/investigation.

5. The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant.

6. Learned counsel for the informant submits that there is direct allegation against the petitioner of having assaulted the informant and others and also of having taken away the amount of Rs.25,000/-. The assault was for the reason that the informant had deposed against the brother of the petitioner in Sessions Trial no.125 of 2015 in Khagaria.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner being general and omnibus in nature, the petitioner being in custody since 29.10.2023 and not having any criminal antecedent, the Court directs the petitioner to be enlarged on bail in connection with Khagaria



(Mufassil) P.S. Case no.1030 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 the learned Chief Judicial Magistrate, Khagaria.

(Partha Sarthy, J)

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