

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13460 of 2024

Arising Out of PS. Case No.-210 Year-2023 Thana- MANJHAGARH District- Gopalganj

Babulal Yadav Son of Makun Yadav Resident of Village- Dharam Parsa, Ahir
Tola, Police Station-Manjhagarh, District-Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Raghav Prasad, Advocate
For the State : Mr. Parmanand Prasad, APP

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

ORAL ORDER

2 05-03-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Manjhagarh P.S. Case No. 210 of 2023 instituted for the offence
under Sections 147, 149, 341, 323, 324, 307, 302, 504 & 506 of
the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, petitioner and other
co-accused are said to have assaulted the informant, brother of
the informant and others. It is alleged that co-accused, namely,
Jai Nath Yadav assaulted indiscriminately to the informant's
brother by means of iron rod and also crushed his body by the
tractor, as a result of which he died. It is further alleged that co-
accused, namely, Raj Kumar fired on the Babu Chand Yadav, as



a result of which he also sustained injury on his left hand.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 05-09-2023. Petitioner bears one criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. There is no specific allegation attributed to the petitioner rather specific allegation of assault is against Jai Nath Yadav and Raj Kumar. Other co-accused have been granted bail by a Co-ordinate Bench of this Court, *vide* order dated 08-02-2024, passed in Cr. Misc. No. 72727 of 2023. Charge sheet has already been submitted in this case.

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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, no direct allegation against the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner 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 Manjhagarh
P.S. Case No. 210 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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