

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14853 of 2024

Arising Out of PS. Case No.-143 Year-2023 Thana- GOPALPUR District- Bhagalpur

Gaurav Yadav Son of Late Beni Yadav R/o Village- Bhawanipur, P.S.-
Rangra, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Yadav, Advocate

For the Opposite Party/s : Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 13-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Gopalpur (Rangra O.P.) P.S. Case No. 143 of 2023 dated 24.03.2023, instituted for the offence punishable under Sections 341, 323, 324, 326, 307, 379/34 of the Indian Penal Code.

3. The prosecution case, in short, is that on 23.03.2023 at about 03.30 pm, when informant was at his shop situated opposite to Madan Ahilya College, four accused persons including the petitioner arrived at the shop of the informant and asked for smack upon which informant said that he does not used to sell smack. Thereafter, accused persons started assaulting the informant. When the cousin brother namely, Rajiv Kumar and father of the informant came to his



rescue then co-accused namely, Rupesh Yadav stabbed knife in the stomach of Rajiv Kumar. When the informant went to rescue Rajiv Kumar, Rupesh Yadav injured him at his left hand due to which he sustained injury. It is further alleged that Ajit Kumar and Gaurav Yadav had caught hold the informant and Rupesh Yadav stabbed him.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that there is no specific allegation of assault against the petitioner rather the specific allegation is against co-accused Rupesh yadav, who stabbed knife in the stomach of one Rajiv Kumar and when informant went to rescue Rajiv Kumar, Rupesh Yadav injured him also. It is further stated that petitioner is only member of unlawful assembly. Lastly, it has been submitted that the petitioner is in custody since 28.06.2023 having no criminal antecedents and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of



Rs. 10,000/- (ten thousand) with two sureties of the like amount
each to the satisfaction of the learned A.C.J.M., 1st, Naugachia
District- Bhagalpur/Successor Court in connection with
Gopalpur (Rangra O.P.) P.S. Case No. 143 of 2023.

(Khatim Reza, J)

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