

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21984 of 2024

Arising Out of PS. Case No.-505 Year-2022 Thana- DEEPNAGAR District- Nalanda

Kundan Yadav @ Kundan Kumar, Son of Rajo Yadav, Resident of Village-
Koko Bigha, P.S.- Deepnagar, Dist.- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad, Advocate

For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 20-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Deepnagar P.S. Case No. 505 of 2022, registered on 02.10.2022, for the alleged offences under Sections 147, 149, 341, 323, 342, 307, 379, 504 and 506 of the Indian Penal Code.

03. As per prosecution case, the petitioner and other co-accused persons, in the background of some dispute, became violent and assaulted the father and other family members of the informant with rod, *lathi* and *danda*, causing a number of injuries to them. Father of the informant suffered fracture of head and broken shoulder. The informant was also assaulted apart from his brother and uncle, who were seriously injured.



Other co-accused persons resorted to brick-batting.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. There is case and counter case between the parties for the same occurrence and the petitioner's side has got registered Deepnagar P.S. Case No. 510 of 2022 against the informant's side for assault and causing injuries. The specific allegation of assault by iron rod is against the co-accused Karu Yadav on the father of the informant. There is general and omnibus allegation against the petitioner. The petitioner is in custody since 17.01.2024. The petitioner has got no criminal history. The learned counsel further submits that similarly placed co-accused persons have been granted bail by this Court vide order dated 16.05.2023 passed in Cr. Misc. No.19383 of 2023.

05. Learned APP vehemently opposes the prayer for bail of the petitioner.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the general and omnibus nature of allegation against the petitioner and further considering the case and counter case between the parties in the background of land dispute and also considering the period of custody of the petitioner along with his clean



antecedent, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda, Bihar Sharif in connection with Deepnagar P.S. Case No. 505 of 2022, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

V.K.Pandey/-

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(Arun Kumar Jha, J)

