

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24890 of 2024

Arising Out of PS. Case No.-35 Year-2023 Thana- SALAKHUA District- Saharsa

Enit Kumar @ Enit Yadav Son of Julm Yadav Resident of Village- Churahi,
Ward No.3, P.S.- Salkhua, Dist.- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiva Shankar Sharma, Advocate

For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 05-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Salkhua P.S. Case No. 35 of 2023 instituted for the offences punishable under Sections 341, 323, 307, 379, 504 and 34 of the Indian Penal Code.

3. As per F.I.R., the allegation against the petitioner is that he assaulted the informant by means of butt of country made pistol on his head and also snatched the money from him.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. A statement has been made in para 3 of the petition that petitioner has no criminal



antecedent. He is languishing in judicial custody since 20.01.2024.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. From perusal of the F.I.R. and impugned order dated 02.03.2024, it appears that on the basis of written report of the informant F.I.R. registered against the five accused persons including the present petitioner. The allegation against the petitioner is that he assaulted by butt of the country made pistol and caused injury to the informant. On perusal of the impugned order, it also appears that all the injuries inflicted by the petitioner on the body of the informant are simple in nature.

7. Considering the facts and circumstances of the case and submissions made on behalf of the petitioner as well as period of custody of the petitioner, let the above named 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 the learned A.C.J.M.-IV, Saharsa in connection with Salkhua P.S. Case No.35 of 2023.

(Ramesh Chand Malviya, J)

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