

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32338 of 2024

Arising Out of PS. Case No.-123 Year-2020 Thana- BIRAUL District- Darbhanga

Umesh Yadav son of Late Ganesh Yadav Vill- Shivnagar Ps- Biraul Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-07-2024 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 307, 341, 323, 354 and 34 of the Indian Penal Code.

3. As per prosecution case, on the alleged date and time of the occurrence, all the accused persons, including the petitioner, armed with weapons, came into the residence of the informant and assaulted him with fists and slaps. It is further alleged that when one Kameshwar Yadav came to rescue the informant, this petitioner tied rope on the neck of Kameshwar Yadav and Baij Nath Yadav took gold chain worth Rs. 40,000/-.

4. Learned counsel for the petitioner submits that both parties are next door neighbor and due to petty dispute, a fight



took place in which both sides sustained injury. The only allegation against this petitioner is that he tied rope on the neck of Kameshwar Yadav. The present case is counter blast of Biraul P. S. Case No. 140 of 2020 lodged by co-accused Baidyanath Yadav against the prosecution party. F.I.R. has been lodged after 4 days' delay without any plausible explanation of delay. Petitioner claims clean antecedent.

5. Counsel for the State however, vehemently opposed the prayer for bail.

5. Considering the facts and circumstances of the case, let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate- II, Biraul, Darbhanga in connection with Biraul P. S. Case No. 123 of 2020, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

Prakash/-

U			
---	--	--	--

