

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35024 of 2023

Arising Out of PS. Case No.-256 Year-2021 Thana- HATHUA District- Gopalganj

Yashwant Kumar Rai @ Yashwant Rai S/O Keshav Rai R/O Village-
Chainpur, P.S-Hathua, Dist.-Gopalganj

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Dubey

For the Opposite Party/s : Mr.Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 03-01-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 325, 337, 338, 307, 504 of the Indian Penal Code and Section 27 of Arms Act.

Prosecution case in nutshell is that informant's sister was contesting election and in the process of campaigning when he reached near the house of petitioner, petitioner's wife saw them. It is further alleged that she along with petitioner and other co-



accused persons came at that place and co-accused Anand Kumar Rai fired upon the informant's sister to which she narrowly escaped. He again fired upon her due to which she sustained fire arm injuries in her left leg. Co-accused persons also assaulted him by means of iron rod, lathi and pipe. Specific allegation against the petitioner is that he assaulted the informant's sister by means of iron rod due to which she sustained injuries over her right leg.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case due to political rivalry between the parties. There is case and counter case between the parties. Leg is not a vital part. Hence, Section 307 of the I.P.C. is not attracted against petitioner. It is further submitted that charge has been framed in this case. Moreover, the petitioner is languishing in judicial custody since 2.12.2022.

Learned APP appearing for the State has



vehemently opposed the prayer for Bail and submitted that petitioner has criminal antecedents in several cases.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Hathua P.S. Case No. 256 of 2021 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. XIV, Gopalganj.

(Sunil Kumar Panwar, J)

Nirajkrs/-

U		T	
---	--	---	--

