

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44241 of 2024

Arising Out of PS. Case No.-42 Year-2024 Thana- BELCHHI District- Patna

Mukesh Yadav S/o Ramas Yadav @ Ramanand Yadav R/o Village- Harnaut,
PS Harnaut, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suraj Kumar, Adv.

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 26-06-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with

Belchhi P.S. Case No. 42 of 2024 instituted for the offences

under Sections 323, 341, 307, 504, 506 and 34 of the

Indian Penal Code.

3. As per prosecution case, the accusation against

the petitioner is of hitting the Informant on his head by

means of brick with an intention to kill him as a result of

which the Informant sustained grievous injury on his head,

he fell down and the blood started flowing from his head.

4. Learned counsel for the petitioner submits that



the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. He submits that from the injury report, it appears that the injury caused to the Informant is simple in nature. Both the parties are *Gotiyas*. There is an admitted land dispute between the Informant and the co-accused Satyendra Yadav and the petitioner has been wrongly implicated in the present case. The petitioner was not arrested from the place of occurrence and nothing incriminating has been recovered from the conscious possession of the petitioner. Not a single independent witness has come forward to support the prosecution case. The petitioner has one criminal antecedent and is languishing in judicial custody since 19.03.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the



case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, 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 Court below/concerned Court in connection with Belchhi P.S. Case No. 42 of 2024.

(Rudra Prakash Mishra, J)

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