

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42216 of 2024

Arising Out of PS. Case No.-79 Year-2020 Thana- BAHERI District- Darbhanga

Kunj Bihari Yadav, Male, aged about 35 years, S/o Late Ram Kripal Yadav,
R/o Village- Sher (Ser), P.S.-Baheri, District-Darbhangha (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra, Advocate

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 20-09-2024 Heard Mr. Vinay Kumar Mishra, learned counsel

appearing on behalf of the petitioner and Mr. Anil Kumar Singh

No. 1, learned APP for the State.

2. Petitioner seeks regular bail in connection with
Baheri P.S. Case No. 79 of 2020 registered for the offences
punishable under Sections 341, 342, 323, 324, 325, 384, 504,
506 and 34 of the Indian Penal Code and later on Section 307 of
the IPC was also added.

3. As per the allegation made in the FIR, the accused
persons named therein had demanded extortion from the son of
the informant and on objection made by him, the accused
persons assaulted him on his head and leg. Specific allegation
against the petitioner is to have assaulted the son of the
informant by means of iron rod, causing fracture injury on his



leg.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and has falsely been implicated in the present case due to previous enmity and local village politics. Specific allegation against the petitioner is of assaulting the son of the informant by means of iron rod upon his leg, which is non-vital part of the body, whereas one co-accused Vikash Yadav is said to have assaulted the son of informant by means of *dragger* upon his head, as a result of which he sustained head injury. One similarly situated co-accused Mukesh Yadav has also been granted bail by this Court *vide* order dated 24.04.2024 passed in Cr. Misc. No.25526 of 2024. Petitioner is in custody since 22.01.2024.

5. Learned APP appearing for the State opposes the bail prayer.

6. Considering the nature of allegation made against the petitioner and also the fact that the petitioner has assaulted the son of informant on his non-vital part of the body and he is in custody since 22.01.2024, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate,



1st Class, Darbhanga in connection with Baheri P.S. Case No. 79 of 2020.

7. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

Sanjay/-

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

