

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2792 of 2024

Arising Out of PS. Case No.-25 Year-2024 Thana- UPHARA District- Aurangabad

Rahis Yadav Son of Late Raghunandan Yadav Resident of village - Bilaru,
P.S. - Uphara, District - Aurangabad (Bihar)

... .. Appellant/s

Versus

1. The State of Bihar
2. Brijnandan Paswan Son of Lakshmeshwar Paswan Resident of village -
Bilaru, P.S. - Uphara, District - Aurangabad (Bihar)

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Leelawati Kumari
For the Respondent/s : Mr.Binay Krishna

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 08-10-2024 Heard learned counsel for the appellant as well as
learned APP for the State.

2. In this case, the petitioner is seeking regular bail in connection with Uphara P.S. Case No. 25 of 2024, registered for the offence punishable under Sections-147, 149, 341, 323, 324, 325, 354, 504, 506 of the Indian Penal Code.

3. As per allegation, in course of proceeding to attend call of nature, the accused persons caught hold of the hands of informant's daughter and daughter-in-law. When the informant reached there with his associates, co-accused Chintu Yadav and J.P. Yadav assaulted him with iron rod, as a result of which, he sustained ear and elbow injury.

4. Learned counsel for the appellant has submitted that there is no specific allegation against the appellant of inflicting



assault. The appellant has falsely been implicated in the present case. As a matter of fact, no occurrence in the manner alleged has ever taken place and the entire prosecution version is full of concoction and fabrication. The appellant has not abused, assaulted or threatened any member belonging to Schedule Caste or Schedule Tribe by their caste name. Several co-accused have been granted bail by this court. The case of this appellant is on better footing to that of co-accused. The appellant is in custody since 07-05-2024.

5. On the otherhand, learned counsel for the State has opposed the prayer for bail of the appellant.

6. Considering the above-mentioned facts and circumstances, let the appellant named above be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) of two sureties of the like amount each to the satisfaction of Addl. District & Sessions Judge-Ist, Aurangabad in connection with Upahara P.S. Case No. 25 of 2024 with condition that the appellant shall cooperate with the trial and make himself available as and when required by the court.

7. Accordingly, the appeal is *allowed*.

(Nawneet Kumar Pandey, J)

A.K.V.//-

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