

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44414 of 2024

Arising Out of PS. Case No.-81 Year-2023 Thana- JAYRAMPUR District- Sheikhpura

RAMESH YADAV SON OF BADHO YADAV VILLAGE- TOYGARH, P.S.-
JAIRAMPUR, DISTT.- SHEIKHPURA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Vikramadit, Adv.
For the informant	:	Mr. Jitendra Kumar, Adv.
For the Opposite Party/s	:	Mr.Anil Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 13-08-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Jairampur P.S. Case No. 81 of 2023 dated 27.12.2023 registered for the offences punishable u/ss 147, 148, 149, 323, 324, 325, 379, 427 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the informant's goat was killed by the co-accused, Nikhil Kumar @ Rakesh Kumar by throwing down. When the informant's brother Sadhu Yadav went to the house of the co-accused, Nikhil Kumar to make complaint and he reached near Thakurbari then the petitioner and the co-accused persons were already present there and they



assaulted him with intent to kill and also abused him. The co-accused, Jitesh Yadav @ Mutar Yadav assaulted the informant's brother with axe causing head injury. The petitioner assaulted the informant's brother Sadhu Yadav with iron rod causing fractured injury to his hand. In the meantime, Mukesh Yadav came to rescue him then the petitioner assaulted him badly with iron rod due to which he sustained head injury. The co-accused, Manish Kumar assaulted the informant with iron rod causing head injury. The co-accused, Rahul Kumar assaulted Baiju Yadav with iron rod causing head and hand injuries. The co-accused, Nikhil Kumar and Radharaman assaulted the informant's brother Anil Yadav and snatched Rs. 15,000/- and golden locket. Thereafter, people gathered there then the co-accused, Jitesh Kumar fled away by making open fire.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case due to land dispute. There is case and counter case between the parties. Nothing has been recovered from the conscious possession of the petitioner. Learned counsel has further submitted that the petitioner assaulted Mukesh Yadav with iron rod causing fracture injury on his hand but from perusal of the impugned order, the nature of injury on his head.



No injury of Sadhu Yadav is available in the record. The petitioner has one criminal antecedent in which he is on bail as stated in para 3 of the bail petition. The petitioner is in custody since 08.05.2024.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Sheikhpura in connection with Jairampur P.S. Case No. 81 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Gautam/-

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

