

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50374 of 2024

Arising Out of PS. Case No.-819 Year-2023 Thana- SHEKHPURA District- Sheikhpura

Bilash Yadav Son of Late Raghunandan Yadav Resident of village - Eksari
Bigha, Police Station and District - Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv.
	:	Mr. N.K. Choudhary, Adv
	:	Ms. Diksha Kumari, Adv
For the Opposite Party/s	:	Mr. Umanath Mishra, APP

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

ORAL ORDER

2 18-07-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sheikhpura P.S. Case No. 819 of 2023 dated 23.11.2023 registered for the offences punishable u/s 302 read with section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the other co-accused persons along with five unknown miscreants are alleged to have assaulted the husband of the informant due to which he died. The petitioner is alleged to have assaulted on the hydrocele of the informant with iron rod.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is previous dispute between the family member of the petitioner and the informant. It is further submitted that the husband of the informant was a man of bad character. He regularly chased the daughter of the petitioner and misbehaved with her. The allegation against the petitioner that he assaulted the informant's husband on his hydrocele with iron rod and doctor has opined that the cause of death is due to "*severe brain and chest injury and shock*". Similarly situated co-accused has already been granted bail by the co-ordinate bench of this court *vide* order dated 24.06.2024 passed in Cr. Misc. No. 41878 of 2024. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. As per the para nineteen of the bail application the petitioner is in custody since 08.12.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner and 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 Sheikhpura P.S. Case No. 819 of
2023.

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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