

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53694 of 2024

Arising Out of PS. Case No.-277 Year-2017 Thana- JHAJHA District- Jamui

Arvind Yadav Son Of Late Damodar Yadav Village- Jogiya Tilha Ps- Jhajha
District -JAMUI

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Krishna Pd.Singh, Senior Advocate
		Mr.Bhaskar Shankar, Advocate
For the Opposite Party	:	Mr.Umeshanand Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 06-12-2024 Heard learned counsel for the petitioner and the
State.

2. The petitioner seeks regular bail in a case registered for the offence punishable under sections 147, 324, 323, 395/504 of the Indian Penal Code.

3. As per the prosecution case, on 19.12.2014 all the FIR named accused persons including this petitioner surrounded house of the informant Shankar Yadav, entered into it by breaking open the door and captured his wife and younger son and asked about his son Binod Yadav. When Binod Yadav was not found, these accused persons brutally assaulted wife and younger son of the informant with butt of rifle. Accused persons looted motorcycle of the informant and kidnapped one co-villager Bhagwat Yadav, who was later on released by police



intervention.

4. Learned counsel appearing for the petitioner submits that for the same occurrence, Jhajha Police Station Case No. 246 of 2014 dated 20.12.2014 was also lodged against the petitioner and other accused persons by Bhagwat Yadav, alleged to be kidnapped in the case. In Jhajha Police Station Case No. 246 of 2014, petitioner has already been enlarged on regular bail under order dated 9.8.2017, passed in Cr.Mis.No. 27533 of 2017. It is further submitted that after delay of more than three months of filing of Jhajha Police Station Case No. 246/2017, for the same occurrence, a complaint was filed on 21.3.2015 by one Shankar Yadav, who was a witness in aforesaid FIR, against the same set of accused persons. Present FIR has been registered on 6.9.2017, i.e., after delay of more than 2 years from the date of filing of complaint. Charge sheet has already been filed. Petitioner is in custody since 6.5.2024.

5. Learned counsel for the State opposes the prayer for bail.

6. Considering the aforesaid facts of the case, prayer for regular bail of the petitioner is allowed. Let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount



each to the satisfaction of the Sub Divisional Judicial
Magistrate, Jamui in Jhajha Police Station Case No. 277 of
2017.

(Prabhat Kumar Singh, J)

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