

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57399 of 2024

Arising Out of PS. Case No.-144 Year-2022 Thana- MIRGANJ District- Purnia

Sonu Yadav son of Late Jay Prakash Yadav R/o- Sanjha Khalifa Tol Ps-
Mirganj Dist- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Advocate

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 04-09-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Mirganj PS Case No. 144 of 2022 dated 29-10-2022, instituted
under Sections 341, 323, 324 307, 325, 354, 504 and 506/34 of
the Indian Penal Code.

3. The prosecution case, in short, is that on
23-10-2022 petitioner along with co-accused Babu Yadav alias
Lalu Yadav came to the house of informant having armed with
iron rod and over a dispute regarding money transaction of jute
business, they started abusing and assaulting the informant's son
by iron rod. It is further alleged that on hearing noise, while the
informant came to rescue her son, they also assaulted her by
means of iron rod, on account of which, she became



unconscious. Thereafter, they also assaulted the informant's husband on his head by means of an iron rod. They were taken to the hospital for treatment with the help of the villagers.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that there is money transaction dispute between the parties regarding jute business. It is next submitted that there is no specific overt act alleged against the petitioner rather there is general and omnibus allegation against the petitioner. The occurrence is alleged to have taken place on 23-10-2022, but the FIR has been lodged on 29-10-2022 without any plausible explanation for the same. From the impugned order dated 20-05-2024, passed by the learned Additional Sessions Judge-III, Purnea in A.B.P. No. 350 of 2024, it is evident that injuries sustained by the informant is simple in nature and also the injuries sustained by the husband of the informant, namely, Nageshwar Poddar is also simple in nature. Lastly, it is submitted that petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in



the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM Purnea, in Mirganj PS Case No. 144 of 2022, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

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