

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74630 of 2024

Arising Out of PS. Case No.-510 Year-2022 Thana- KONCH District- Gaya

Subodh Yadav @ Subodh Kumar @ Sibodh Yadav Son of Birendra Yadav
Resident of village- Karma, PS- Konch, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sharma, Adv.

For the Opposite Party/s : Mr.Dr. Ajeet Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 30-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has earlier moved before this Court with a prayer for anticipatory bail which was dismissed vide order dated 20.07.2024 passed in Cr. Misc. No. 51140 of 2024.

3. The petitioner seeks bail in connection with Konch P.S. Case No. 510 of 2022 instituted for the offences under Sections 147, 148, 149, 307, 354, 379, 504, 506 of the Indian Penal Code and later on added Section 302 of the I.P.C.

4. As per the prosecution case, this petitioner along with other co-accused persons armed with *lathi*, *danda* and iron rod abused and assaulted the informant and his father on which they sustained injury of their heads. Thereafter, during course of



treatment father of the informant succumbed to injury.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case merely on the basis of suspicion. The petitioner was not caught on spot. There is a case and counter case between the parties. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner has no criminal antecedent and is languishing in judicial custody since 16.08.2024 without any rhymes or reason.

6. Learned counsel for the petitioner again submits that the co-accused namely Yogendra Yadav has been granted bail by this Court vide order dated 13.03.2024 passed in Cr. Misc. No. 16903 of 2024.

7. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

8. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the



petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Konch P.S. Case No. 510 of 2022.

(Rudra Prakash Mishra, J)

rishi/-

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

