

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73298 of 2024

Arising Out of PS. Case No.-166 Year-2023 Thana- GURARU District- Gaya

Shambhu Kumar Son of Ram Pyare Yadav @ Ram Prawesh Yadav Resident
of village- Bahera, PS- Guraru, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Kumar, Advocate

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

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

ORAL ORDER

2 04-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Guraru
P.S. Case No. 166 of 2023 instituted for the offences under
Sections 341, 323, 504, 506, 307, 34 of the Indian Penal Code.

3. Petitioner earlier moved before the Court for grant
of anticipatory bail and the same was rejected by this Bench
vide order dated 12.07.2024 passed in Cr. Misc. No. 47703 of
2024.

3. As per prosecution case, the accusation against the
accused persons including the petitioner is of assaulting the
informant, his son and his wife. The specific allegation has been
made against the petitioner of assaulting the informant by means



of centering wood due to which he sustained serious injury upon his head.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and has committed no offence as alleged in the FIR and has falsely been implicated in the present case. Learned counsel further submitted that there is no independent eye-witness who has stated anything against the petitioner. Learned counsel further submitted that anticipatory bail of the petitioner was rejected by this Bench vide order dated 12.07.2024 passed in Cr. Misc. No. 47703 of 2024 with the observation to surrender before the learned trial Court and seek regular bail. The co-accused person has already been granted bail by this Bench vide order dated 13.03.2024 passed in Cr. Misc. No. 16766 of 2024. Learned counsel further submitted that the injury sustained by the informant is simple in nature and this petitioner had no intention to kill the informant. It has been submitted on behalf of the petitioner that the petitioner is in custody since 25.07.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, nature of injury as also the period of custody



undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Guraru P.S. Case No. 166 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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