

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 75184 of 2023

Arising Out of PS. Case No.-111 Year-2022 Thana- KHIRI MORE District- Patna

Subodh Kumar @ Subodh Yadav S/O Ram Kewal Yadav R/O Village- Anchal
Tola, P.S- Khirimore, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Rajeev, Adv.

For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

4 10-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Khirimore P.S. Case No. 111 of 2022 dated 10.11.2022,
instituted for the offence punishable under Sections 147, 148,
149, 341, 323, 325, 307, 379, 337, 338 of the Indian Penal Code
later on Section 302 of the I.P.C. was added.

3. The prosecution case, in short, is that in the
background of a land dispute, accused persons including the
petitioner is said to have assaulted the informant and his family
members by means of '*Khanti*' (Garasa) and bricks.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is submitted that there is no specific allegation against
the petitioner rather the specific allegation is against one co-



accused, namely, Om Prakash Yadav, who assaulted Awdhesh Yadav on head by means of '*Bhala*'. The post-mortem report of Awdhesh Yadav reveals that the cause of death is by hard and blunt substance. It is further submitted that there is case and counter case between the parties. It is also submitted that similiary situated co-accused, namely, Renu Devi has been granted bail *vide* order dated 06.12.2023 passed in Criminal Miscellaneous No. 63726 of 2023 by this Court. Lastly, it has been submitted that he has no criminal antecedent.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner in connection with Khirimore P.S. Case No. 111 of 2022, he shall be released on anticipatory 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 A.C.J.M., Danapur, Patna, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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