

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.76157 of 2023**

Arising Out of PS. Case No.-30 Year-2023 Thana- SAHARGHAT District- Madhubani

Sunil Kumar Yadav @ Panchu Yadav Son Of Late Thakai Yadav @ Late Thakari Yadav Res. Of Village-Mukhiyapatti, P.S. Saharghat, District-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                          |
|--------------------------|---|--------------------------|
| For the Petitioner/s     | : | Mr.Ashok Kumar           |
| For the Opposite Party/s | : | Mr. Ravindra Kumar Singh |
| For the State            | : | Mr.Upendra Kumar, APP    |

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

4      27-02-2024                      Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 326, 307, 302, 504, 506 of the Indian Penal Code.

Prosecution case in nutshell is that petitioner along with other co-accused persons, variously armed, came at the door of informant and started abusing. When his brother opposed, co-accused Shambhu Yadav ordered to kill him. It is further alleged that co-accused Shambhu Yadav and Ganesh Yadav caught hold the informant's brother and co-accused



Mahesh Yadav assaulted him by means of Knife. Allegation against the petitioner and other co-accused persons is that they assaulted the informant's brother on head by means of lathi. When the informant's brother was taken to hospital, he was declared dead.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. There is case and counter case between the parties and in the background of land dispute the present case has been lodged with false and fabricated allegations. There is general and omnibus allegation against the petitioner. Moreover, the petitioner is languishing in judicial custody since 19.07.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Similarly situated co-accused Kishan Yafav @ Kishun Yadav has been granted bail vide order dated 10.08.2023, passed in Cr. Misc. No. 50564 of 2023 by the co-ordinate Bench of this Court.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.



Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Saharghat P.S. Case No. 30 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1<sup>st</sup> Class, Benipatti, Madhubani.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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