

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79894 of 2023

Arising Out of PS. Case No.-265 Year-2021 Thana- VIJAYEPUR District- Gopalganj

DINA YADAV @ DINANATH @ DINANATH YADAV son of Late Kanta
Yadav Village- Koreya Ps- Vijaipur Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Dubey

For the Opposite Party/s : Mr.Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 18-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 147, 148, 149, 341, 323, 324, 326, 307, 302 of the Indian Penal Code.

3. As per prosecution case, the petitioner along with other co-accused persons armed with weapons and forcibly cultivating the land of informant. On protest by informant, co-accused Prem Kharwar inflicted knife blow on the chest of informant's nephew namely, Adarsh Pandey as a result of which he sustained injury thereafter he was taken to hospital where doctor declared him dead.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has



falsely been implicated in this case. The petitioner is only caught hod the deceased at the time of occurrence. No specific overt-act attributed against him. Specific allegation of stabbing by means of knife is against co-accused Prem Kharwar and Bhakili @Rajkumar. Similarly situated co-accused Angad Vishakrma has been granted bail by this court vide order dt. 1.2.2023 passed in Cr. Misc. No. 17852 of 2022. It is further submitted that the petitioner is languishing in judicial custody since 26.4.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Vijaipur P.S. Case No. 265 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Gopalganj.

(Sunil Kumar Panwar, J)

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