

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79290 of 2023

Arising Out of PS. Case No.-236 Year-2023 Thana- TRIVENIGANJ District- Supaul

Brahmdeo Yadav @ Barahmdev Yadav S/O Late Kailu Yadav Village-
Daparkha, Ward No. 09, Ps. Triveniganj, Dist. Supaul.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 09-01-2024 Heard learned counsel for the petitioner 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, 149, 342, 385, 341, 323, 302, 379 of the Indian Penal Code.

Prosecution case in nutshell is that while the informant along with his father was returning to his native village by his car, in the way, petitioner along with other co-accused persons surrounded his car. It is further alleged that co-accused Kundan Yadav demanded Rs. 5,00,000/- as extortion money. When the informant



and his father raised protest, co-accused Chandan Yadav assaulted with Khanti, petitioner assaulted with butt of farsa, co-accused Amit and Dilkhush assaulted by means of Fatta to informant's father due to which informant sustained injuries and informant's father succumbed to injuries.

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 no specific allegation against the petitioner rather the allegation levelled against him is general and omnibus. It is further submitted that postmortem report is not in consonance with the prosecution version of the case. Doctor has not found any external injury over the body of the deceased/father of informant. Moreover, the petitioner is languishing in judicial custody since 09.06.2023.

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 Triveniganj P.S. Case No. 236 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 A.C.J.M. 1st, Supaul.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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