

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 84449 of 2023

Arising Out of PS. Case No.-496 Year-2023 Thana- KAUWAKOL District- Nawada

Mukesh Yadav S/O Arjun Yadav R/O Village- Bhoram Bagh, P.S- Kowakole,
Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-01-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 302/34 of the Indian Penal Code..

3. As per allegation in the FIR, on 15.8.2023 three accused persons including the petitioner laced with iron-rod and lathi came to the house of the informant and accused Pawan Yadav assaulted the informant's son, namely Shishupal Rai with iron rod causing injury on his head. Thereafter, all the accused persons started to assaulted him with lathi and danda. When his family members came there to rescue Shishupal Rai (deceased), they were also assaulted



by the accused persons. Informant took his son to hospital and during course of treatment, he died.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has been falsely implicated in this case. Specific allegation of assaulting to the deceased is against Pawan Yadav and not against the petitioner. General and omnibus allegation has been levelled against him. Allegedly, petitioner has assaulted to the informant by means of lathi due to which he received injuries on his head and hand and thus Section 302 IPC will not attract against him. There is case and counter case between the parties. He has got no criminal antecedent and languishing in judicial custody since 26.09.2023.

5. Learned APP appearing for the State and learned counsel for the informant have opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only)



with two sureties of the like amount each to the satisfaction
of the learned Judicial Magistrate 1st Class, Nawada in
connection with Kowakole P.S. Case No. 496 of 2023.

(Sunil Kumar Panwar, J)

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