

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84880 of 2023

Arising Out of PS. Case No.-106 Year-2023 Thana- SHEKHPURA District- Sheikhpura

Ramashish Yadav S/o Anandi Yadav Resident of Village -Kusumbha ,Tola
Bagahiya, P.S.- Sheikhpura(O.P. Kusumbha),District-Sheikhpura.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prasad Singh

For the Opposite Party/s : Mr.Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 31-01-2024 Heard learned counsel for the petitioner, learned
APP for the State learned counsel for the informant.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 147, 148, 149, 323, 307 and 354 of the Indian Penal Code. Later on, Section 302 of the IPC was added.

3. Allegation against co-accused, namely, Pawan Bind is that he assaulted the husband of the informant by means of *axe* due to which he sustained injuries. It is further alleged that this petitioner assaulted the informant's husband on his head with sword. Later on, during the course of treatment, the informant's husband succumbed to injuries.

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. As per allegation in the FIR, the petitioner assaulted the informant's husband on his head with sword but as per postmortem report, doctor opined that the injuries caused by hard and blunt force object which falsifies the prosecution case. Moreover, the petitioner is languishing in judicial custody since 28.08.2023.

5. Learned APP appearing for the state and learned counsel for the informant have opposed the prayer of regular bail and submitted that petitioner is named in FIR and he has four criminal antecedents.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail **after framing of charge if the charge is not framed** in connection with Sheikhpura(Kusumbha) P.S. Case No. 106 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Sheikhpura.

(Sunil Kumar Panwar, J)

Shubham/-

U		T	
---	--	---	--

