

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1219 of 2024

Arising Out of PS. Case No.-77 Year-2023 Thana- KHUDWA District- Aurangabad

TAPESHWAR YADAV @ TAPESHWAR JADO S/O LATE BALGOVIND
YADAV R/O VILLAGE- LAHASHA, P.S- KHUDWAN, DISTT.-
AURANGABAD (BIHAR).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Chaudhary, Sr. Advocate Mr. Ranjit Kumar, Advocate
For the Opposite Party/s	:	Mr. Pawan Kumar Chaurasia, APP
For the Informant	:	Mr. Siddhi Aashana, Advocate Mr. Kumar Ravish, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 18-01-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Khudwa P.S Case no.77 of 2023 registered under sections 302, 307, 324, 147, 148, 149, 341, 504 and 506 of the Indian Penal Code.

3. As per the prosecution case, the informant states that on his cousin brother going to till the land, the named accused persons came variously armed. It is stated that Anjay Singh struck the informant's uncle on his head with a *garasa*. Vinay Kumar and Ramashish Singh also assaulted causing serious injuries. It is further stated that all the accused persons started to assault with sword, spear etc. The accused persons



included Manoj Kumar, Karamdeo Yadav, Mithlesh Kumar, the petitioner as also 20-30 others.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. There is case and counter case between the parties and the correct version having been given in the counter case, F.I.R of which is Annexure- P/2 to the petition. The allegation of assault is mainly on Anjay Singh, Vinay Kumar and Ramashish Singh. The allegation against others including the petitioner is general and omnibus in nature. The petitioner is in custody since 14.8.2023 and charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned A.P.P for the State and learned counsel for the informant. Learned counsel for the informant submits that not only the petitioner is named in the F.I.R but there is direct allegation against him of having actively participated in the occurrence.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the FIR being general and omnibus in nature, his being in custody since 14.8.2023 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Khudwa P.S Case no.77 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 Sub-Divisional Judicial Magistrate, Daudnagar, Aurangabad, Bihar.

(Partha Sarthy, J)

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