

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86238 of 2023

Arising Out of PS. Case No.-332 Year-2022 Thana- MAGADH UNIVERSITY District- Gaya

Ram Khelawan Yadav Alias Khilaban Yadav Son of Chhatar Yadav Village
Haridaspur Ps M.U District Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Pd. Singh, Sr. Advocate Mr. Bhaskar Shankar, Advocate
For the Opposite Party/s	:	Mr. Aditya Narayan Singh.1, APP
For the Informant	:	Mr. Sudhir Kr. Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 3 19-03-2024 1. Heard learned Senior counsel for the petitioner,

learned APP for the State and learned counsel for the informant.
2. The petitioner has preferred this application for
grant of regular bail in connection with Magadh University P.S.
Case no. 332 of 2022 registered under sections 307, 379, 354,
341, 323, 504, 506, 147 and 149 of the Indian Penal Code.
3. As per the prosecution case, the informant states
that the petitioner and others resorted to brutal assault resulting
in grievous injuries to the informant and others. The petitioner is
said to have assaulted with a *khanti* on Parshuram Kumar as
also the informant Jitendra Kumar.
4. Learned Senior counsel appearing for the
petitioner submits that the petitioner has been falsely implicated



in the case. There is case and counter case between the parties, the correct version having been given in the counter case, F.I.R which is Annexure- 2 to the petition. So far as the injury on Parshuram Kumar is concerned, the same has been found to be simple in nature. With respect to the injury on Jitendra Kumar it is submitted that against allegation of assault by so many accused persons, only one injury has been found which shows the manner of occurrence as narrated in the F.I.R to be incorrect. The petitioner is in custody since 22.9.2023 and charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned APP 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 assaulted the informant as also Parshuram Kumar with a *khanti* on their head leading to grievous injuries. The allegations are substantiated from the injury report.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R, the submissions made by the learned Senior counsel appearing for the petitioner, the contents of the injury report together with the petitioner having remained in custody for more than 5 months



since 22.9.2023 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Magadh University P.S. Case no. 332 of 2022, 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 Chief Judicial Magistrate, Gaya.

(Partha Sarthy, J)

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