

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10177 of 2024

Arising Out of PS. Case No.-3 Year-2022 Thana- GOGRI District- Khagaria

Chandan Kumar @ Chandan Yadav S/o Pramanand Yadav R/O- Village -
Bhuria Tadi, Jamalpur , Ward No 22 P.S. Gogri, District- Khagaria, (Bihar)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Singh, Adv.

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 08-07-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Gogri P.S. Case No. 03 of 2023, G.R. No. 31/2023 dated 06.01.2023 registered for the offences punishable u/ss 341, 323, 324, 307, 385, 504 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have demanded Rs. 1,00,000/- as *rangdari* from the informant on the gun point. When the informant refused then the petitioner and the co-accused, Himanshu caught hold of the informant and the co-accused, Sonu Mahanth assaulted him with *gandasa* with intent to kill



due to which he sustained several injuries in his body and he became unconscious. Thereafter, the accused persons threw the informant on the road side and escaped. Later on, after getting consciousness he went to his house from where he was taken to the hospital for treatment.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is no allegation of assault to the informant against the petitioner rather the specific allegation of assault to the informant with gandasa is against the co-accused, Sonu Mahanth. Learned counsel has further submitted that as per the F.I.R. it is also alleged that the petitioner caught hold of the informant. The petitioner has two criminal antecedents and he is on bail in both the cases as stated in para 3 of the bail petition. The petitioner is in custody since 28.05.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court



concerned, Khagaria in connection with Gogri P.S. Case No. 03
of 2023, G.R. No. 31/2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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