

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80818 of 2024

Arising Out of PS. Case No.-308 Year-2022 Thana- BARACHATTI District- Gaya

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Umesh Yadav @ Umesh Kumar Yadav S/o Late Dhanraj Yadav R/o Village-
Kahudag, Tola- Nimiya Tand, P.S.- Barachatti, District- Gaya. At present
resides at Village- Baniya Bandh, P.S.- Rajpur, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate

For the Opposite Party/s : Ms. Suman Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered under Sections 341, 342, 323, 325, 302 307, 379, 427, 504 and 506/34 of the Indian Penal Code.

3. As per allegation in the FIR, petitioner along with other accused persons, who are agnates of informant assaulted informant's parents by means of *lathi* and *danda*. It is further alleged that the accused persons took away ornaments and damaged the house hold articles. During course of treatment, father of informant died.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has falsely been implicated in the present case due to dirty village politics. Further submission is that the alleged occurrence took place over a land dispute. After one month of the occurrence,



informant’s father died and doctor who has conducted autopsy, kept reserve the opinion till the FSL report and in FSL report, no poisonous substance was detected. Similarly situated co-accused persons have already been granted bail by a co-ordinate Bench of this Court vide *order* dated 26.07.2024 passed in Cr. Misc. No. 20694 of 2024. Petitioner has got no criminal antecedent.

5. Learned A.P.P. for the State opposed the prayer for bail.

6. Having considered the aforesaid facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Sherghati, Gaya, in connection with Barachatti P.S. Case no. 308 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

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