

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79525 of 2024

Arising Out of PS. Case No.-138 Year-2022 Thana- GAMAHARIYA District- Madhepura

Arun Yadav Son of Bindo Yadav Resident of village- Bhelwa PS Gamhariya
District Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Umesh Lal Verma, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 28-02-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in a case registered for the offences punishable u/s 147, 148, 149, 323, 324, 325, 307, 379, 354A, 504 of the Indian Penal Code.

3. As per prosecution case, the allegation levelled against the petitioner is that he along with other co-accused persons assaulted the informant's side brutally by means of deadly weapons due to which they sustained injuries.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged has ever taken place. He has falsely been implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on



concocted facts. Nothing specific has been attributed against him. There is admitted land dispute between the parties and a title suit is also pending between them in the learned Court below. Both sides have filed cases against each other. There is an inordinate delay of eight days in lodging the FIR, which creates serious doubt about the prosecution case. Learned counsel further submits that petitioner has one criminal antecedent and he has been languishing in custody since 20.08.2024.

5. Learned APP for the State vehemently opposes the prayer for bail and submits that the injury caused by this petitioner to one Maheshwari Yadav was found grievous in nature.

6. Considering the arguments of the parties as well as the period of custody, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/the Successor Court, in connection with Gamhariya P.S. Case No.138 of 2022.

(Anjani Kumar Sharan, J)

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