

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20697 of 2019

Arising Out of PS. Case No.-70 Year-2018 Thana- BASOPATTI District- Madhubani

DEVENDRA YADAV, aged about 38 years (Male), Son of Late Mahanth Yadav, Resident of Village - Uchhal, P.S.- Basopatti, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N. K. Agrawal, Sr. Advocate
M/s. Kripa Nand Jha

For the Opposite Party/s : Preety Kunwar, Advocates
Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 03-04-2019 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 147, 149, 341, 323, 324, 307, 379 & 504 of the Indian Penal Code.

Earlier bail application of the petitioner has been rejected vide order dated 27.08.2018 passed in Cr. Misc. No.49651 of 2018, as contained in Annexure 1 with a liberty to the petitioner to renew his prayer for bail after 9 months in custody.

Allegation against the petitioner along with F.I.R. named accused is to have assaulted the informant and his family members by giving *farsa* blow and also assaulting them by lathi and danda.



It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. It has further been submitted that there is a case and counter case between the parties. It has further been submitted that in fact informant and his muscle men have brutally assaulted the petitioner and both sides sustained injury which would be evident from the injury report. Petitioner has no criminal antecedent and he is in custody since 11.06.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Basopatti P.S. Case No. 70 of 2018 with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates



without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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