

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.56330 of 2019**

Arising Out of PS. Case No.-191 Year-2019 Thana- ALOULI District-  
Khagaria

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BAIJNATH YADAV, aged about 25 years, male, Son of Rajendra Yadav  
Resident of Village - and P.S.- Alauli, Distt - Khagaria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner : Mr. Praveen Kumar Agrawal, Advocate.

For the Opposite Party: Mr. Narsingh Tanti, APP

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

ORAL ORDER

2      05-09-2019

Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner apprehends his arrest for the  
offences alleged under Sections 341, 323, 307, 354/34 of the  
Indian Penal Code registered in connection with Alauli P.S. Case  
No. 191 of 2019.

3. It is submitted that the petitioner has been falsely  
implicated in the backdrop of petty dispute between the parties  
who are neighbours. It is submitted that the petitioner has not  
assaulted the informant on her head with *dabia* as alleged rather  
in the altercation he pushed her upon which she fell on the  
ground. The petitioner claims clean antecedents.

4. Be that as it may, in the event of the petitioner's  
arrest or surrender before the court below within six weeks from  
the date of communication of this order, let the above named  
petitioner be released on provisional bail on furnishing bail bond  
of Rs.10,000/- (ten thousand) with two sureties of like amount  
each to the satisfaction of learned Chief Judicial Magistrate,



Khagaria in connection with Alauli P.S. Case No. 191 of 2019, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions -

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

5. The provisional bail granted to the petitioner shall be confirmed by the learned Court below upon verification within a further period of four weeks after furnishing bail bond, that no grievous injury has been caused to the informant's head. In case grievous injury is found, his bail bond shall stand automatically cancelled.

**(Vikash Jain, J)**

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