

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.1970 of 2020**

Arising Out of PS. Case No.-236 Year-2019 Thana- KAKO District- Jehanabad

Sukhu Yadav Son of Late Ramjee Yadav Village-Satanpur, Police Station-Kako, District-Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Raghunandan Kumar Singh, Advocate  
For the Opposite Party/s : Mr.Md. Ataur Rahman, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      25-02-2020                      Heard learned counsel for the petitioner and  
learned A.P.P for the State.

The petitioner apprehends his arrest in **Kako P.S.**  
**Case No. 236 of 2019**, registered for the offence punishable  
under Sections 147, 341, 323, 307, 504 and 506 of the Indian  
Penal Code.

As per the prosecution case, the Contractor Pinku Prasad was constructing road and the informant asked him to give some space for drain for flowing of water. Thereafter, petitioner along with other accused persons came with lathi and Fahura and began to abuse. On protest, Sukhu Yadav (petitioner) assaulted the informant with *Farsa* on his head, as a result of which he sustained head injury and became unconscious. The accused persons also assaulted the wife of informant.



It is submitted that petitioner has falsely been implicated in this case. There is land dispute between the parties. Both parties are next door neighbours. The injuries sustained by the informant found to be simple in nature. Petitioner has got clean antecedent.

Considering the facts aforesaid, the petitioner above-named in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned **Additional Chief Judicial Magistrate, Jehanabad** in connection with **Kako P.S. Case No. 236 of 2019**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.



(ii) 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.

**(Prabhat Kumar Singh, J)**

vinita/-

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