

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.12998 of 2021**

Arising Out of PS. Case No.-75 Year-2020 Thana- BHAGWANGANJ District- Patna

JAG MOHAN YADAV Son of Nageshwar Yadav R./Village - Harnath Chak,
P.S. - Bhagwanganj, Dist. - Patna.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Nitya Nand Neeraj, Advocate
For the Opposite Party/s : Ms. Madhuri Lata, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 16-06-2021 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Bhagwanganj P.S. Case No. 75 of 2020 registered for the offences punishable under Sections 147, 148, 149, 323, 341, 337, 307, 324, 504, 506/34 of the Indian Penal Code.

As per the prosecution story one Lalpari Devi submitted a written report to the officer in charge of Bhagwanganj police station alleging therein that on 07.06.2020



at about 7.30 pm her son was assaulted by farsa on his head by the petitioner. It is further alleged that thereafter her cousin grandson Nitish Kumar came to rescue him and raised hulla then he was also assaulted by accused persons including this petitioner with brick, stone and lathi.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel submits that the party seem to have fought over some petty issues in which both the sides have assaulted each other. It is submitted that the petitioner has remained in jail in connection with the present case since 16.10.2020.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that the party seem to have fought over some petty issues in which both the sides have assaulted each other, the petitioner's side has lodged the case firstly, copy of which has been enclosed with the present petition giving rise to Bhagwanganj P.S. Case No. 74 of 2020, so far as the present case is concerned, it is alleged that petitioner had assaulted



Brahmdeo Yadav and Nitish Kumar, however, from Annexure 'III' to the petition, the injury reports disclose simple injury caused by hard and blunt substance, the petitioner has remained in jail in connection with the present case since 16.10.2020, investigation against him is complete and prior to the present case he had no criminal antecedent, let the petitioner above named be released on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Sri Ram Manohar Chaudhary, J.M. 1st Class, Masaurhi, Patna in connection with Bhagwanganj P.S. Case No. 75 of 2020 subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or



tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

