

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.17871 of 2021**

Arising Out of PS. Case No.-31 Year-2020 Thana- NAURANGIA District- West Champaran

=====

YOGENDRA GOND SON OF LATE INRASAN GOND R/O KOTRAHA PS
NAURANGIYA DISTRICT WEST CHAMPARAN

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha 2, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 02-07-2021 Learned counsel for the petitioner undertakes to remove all the defects pointed out by the Stamp Reporter within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Ms. Pushpa Sinha 2, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Naurangia P.S. Case No. 31 of 2020 registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504, 506, 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that as per the prosecution story, during an altercation between the parties due to cutting the ridge of field this petitioner is alleged to have assaulted the informant with Daab which caused injury on his head.

Learned counsel submits that the petitioner is innocent and has falsely been implicated in the present case. It is further submitted



that the injury report of the injured does not corroborate the allegation against this petitioner and the injury was found to be simple in nature. The petitioner is in custody since 5.10.2020 having no criminal antecedent.

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

Having regard to the facts and circumstances of the case wherein this Court has noticed the submission of learned counsel for the petitioner that as per the allegations this petitioner had assaulted Dharmendra Kumar by a 'Daab' but the injury report of the injured does not corroborate the allegation inasmuch as it reveals lacerated wound caused by hard and blunt substance and the nature of injury is said to be simple, the petitioner has no criminal antecedent and has remained in custody in connection with this case since 5.10.2020, investigation against him is complete but the trial is not likely to be concluded in near future, this Court directs release of the petitioner above named on bail on furnishing of bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of Sri Sonu Kumar, learned Judicial Magistrate, 1st Class, Bagaha, West Champaran in connection with Naurangiya P.S. Case No. 31 of 2020, subject to the conditions 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 is suspected, and

(c) that such persons shall not directly or indirectly make and 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.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

SUSHMA2/Sonali/

-

U		T	
---	--	---	--

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'.

