

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1088 of 2021

Arising Out of PS. Case No.-338 Year-2020 Thana- BAHADURPUR District- Darbhanga

INDRA KUMAR YADAV Son of Sri Prasad Yadav Resident of Village-
Ghorghatta, P.S.- Bahadurpur, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Das
For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 01-03-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 16.08.2020 in connection with Bahadurpur (Fekla O.P.) P.S. Case No. 338/2020 registered for the offences punishable under Sections 147/148/149/341/323/324/307/427/504/506 of the Indian Penal Code, Section 27 of the Arms Act and Section ¾ of the Explosive Act.

As per the prosecution case, petitioner is alleged to have given *farsa* blow on the head of the father of the informant.

It is submitted on behalf of the petitioner that petitioner and informant are agnates and there is dispute over



right of way between them on account of which some scuffle took place and the petitioner is alleged to have caused injury on head of the informant by hard and blunt substance which is simple in nature. It is further submitted that there is case and counter case between both the parties and both the sides have sustained injury. Chargesheet has already been submitted in this case. Petitioner is in custody since 16.08.2020.

Considering the aforesaid facts and circumstances, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned Magistrate 1st Class, Darbhanga, in connection with Bahadurpur (Fekla O.P.) P.S. Case No. 338/2020, subject to following conditions:-

(1) 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 on his absence on two consecutive dates without sufficient reason, his bail-bonds shall be cancelled by the Court below.

(2) If the petitioner tempers with the evidence or the witnesses, in that case, the prosecution will be at liberty to



move for cancellation of bail.

(Prabhat Kumar Singh, J)

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