

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39552 of 2020

Arising Out of PS. Case No.-7 Year-2020 Thana- BIBHUTIPUR District- Samastipur

Ram Naresh Yadav, S/o Yogendra Yadav, R/o Village- Surauli Ward No. 2,
P.S.- Vibhutipur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar, Advocate

For the Opposite Party/s : Mr.Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 19-02-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with
Vibhutipur P.S. Case No.07 of 2020 for the offence punishable
under Sections 147, 148, 149, 307, 323, 341, 379 of the Indian
Penal Code.

In the process of assault by accused persons in a
dispute relating to preparation and entries in a field book
regarding land measurement, the petitioner is alleged to have
assaulted on the head of the informant by means of a wooden
frame.

It is submitted by the petitioner's counsel that the
victim of assault has suffered several injuries on the head. Only
one injury is attributed to the petitioner by wooden frame. Other



co-accused persons were allowed the privilege of anticipatory bail. As per the prosecution case, the assault has occurred in a dispute regarding the measurement of the land. The same was at the spur of the moment and the petitioner continues to be in custody since 27.07.2020. He has no criminal antecedents.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, let the petitioner, above named, be released 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 A.C.J.M.-II, Samastipur, in connection with Vibhutipur P.S. Case No.07 of 2020, subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail



bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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