

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.7053 of 2021**

Arising Out of PS. Case No.-80 Year-2020 Thana- CHAORI District- Bhojpur

ANIL KUMAR YADAV SON OF SRI BHAGWAN SINGH @ DUDHNATH
SINGH R/O VILLAGE- DULLAMCHAK, P.S.- CHAURI, DISTRICT-
BHOJPUR.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Ms. Sangeeta Kumari, APP

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

2 16-04-2021 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 Chauri P.S. Case 80 of 2020 registered for the offences punishable under Sections 341, 323, 504, 307 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is alleged to have assaulted the informant's son by iron rod causing injury. The dispute arose on the point of flowing of drainage.

Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. It is further submitted that the injury caused to the son of the informant is said to be simple in nature. Learned counsel submits that the petitioner is in custody since 14.10.2020 having no criminal antecedent.

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 as per the prosecution story the petitioner had assaulted the son of the informant by iron rod on his head, there is a case and counter case between the parties, the son of the informant has suffered one injury on his head which is said to be simple in nature as per Annexure-‘3’, the petitioner has remained in jail for over six months, investigation against him is complete and at this stage there is no submission on behalf of the State that the release of the petitioner is likely to result in tampering with evidence or interfering with the course of trial, 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 Miss Nandani Harsh, J.M., 1st Class, Bhojpur in connection with Chauri P.S. Case 80 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'.

