

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10986 of 2022

Arising Out of PS. Case No.-143 Year-2021 Thana- KHAJAULI District- Madhubani

Manoj Kumar Yadav Son of Ramkripal Yadav Resident of Village - Kasma
Marar, P.S. - Khajauli, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Shubham, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 06-07-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Khajauli
P.S. Case No. 143 of 2021 registered for the offence under
Sections 324, 307, 326 and 34 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 27.08.2021.

The allegation against the petitioner is to assault the
daughter of the informant by causing grievous injury by
dangerous weapon with intention to cause death.

Learned counsel appearing on behalf of the petitioner
submitted that the petitioner is not named in the FIR and



implication is completely based upon suspicion. It has been submitted that as the daughter of the informant refused to talk over telephone with the petitioner, created a suspicion, causing the false implication of the petitioner, with present occurrence. It has further been submitted that the petitioner is a man of clean antecedent and injury received by injured, is simple in nature. While concluding the argument, it has been submitted that charge-sheet has already been submitted in this case, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that the petitioner is not named in the F.I.R.

Considering the facts and circumstances as mentioned above, as name of the petitioner surfaced on the basis of suspicion, where nature of injury is simple, negating the intention to cause death coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Khajauli P.S. Case No. 143 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, District-Madhubani, subject to the following conditions:

“(i) That petitioner shall not involve in the similar nature of offence till



the conclusion of trial, failing which, the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(iii) That one of the bailors shall be Ganesh Kumar Yadav, who is the cousin brother of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

S.Katyayan/
R.S.Sen-

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