

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20539 of 2022

Arising Out of PS. Case No.-290 Year-2020 Thana- JHAJHA District- Jamui

Wakeel Yadav, S/o Late Rohan Yadav Resident of Village - Sahiya, P.S.-
Jhajha, District - Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prakash Mahto

For the Opposite Party/s : Mr. Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 13-09-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with Jhajha
P.S. Case No. 290 of 2020, registered for the offences
punishable under Sections 341, 323, 324, 307 and 504/34
of IPC.

As per the prosecution case, emerging from the
F.I.R., the sole accused-petitioner assaulted the informant
with *farsa* on his head causing injuries on parietal region
besides the other parts of the body.

The learned counsel for the petitioner submits that
the petitioner is innocent and has falsely been implicated in



this case. He further submits that he has clean antecedent and has been languishing in jail since 09.03.2022. He further submits that investigation is complete and charge-sheet has already been submitted against the petitioner.

It is also stated in paragraph no. 2 of the petition that the petitioner has earlier moved before this Court for grant of anticipatory bail vide Cr. Misc. No. 1711 of 2021, which was rejected on 07.09.2021.

However, the learned APP for the State vehemently opposes the prayer for bail submitting that injury caused by the the petitioner is on the vital part of the body, which is also supported by the injury report.

Considering the aforesaid facts and circumstance, the petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Jamui, in connection with Jhajha P.S. Case No. 290 of 2020, **after framing of charge, in case it is not framed**, on the following conditions:



(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner 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.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of



the petitioner.

The application stands allowed accordingly.

The learned counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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