

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32869 of 2022

Arising Out of PS. Case No.-201 Year-2021 Thana- BISFI (PATAUNA) District- Madhubani

Deva Yadav Son Of Late Ayodhya Yadav Resident Of Village- Patauna, P.S.-
Patauna (BISFI), District- Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratanakar Jha, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-09-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the offence under Sections 341, 323, 324, 307, 354, 504, 506/34 of the Indian Penal Code.

Allegation against the petitioner is that he assaulted to the informant by means of bamboo on his head causing fracture and bleeding on head and he fell on the ground.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. Further submits that in fact the petitioner and the



informant is full brother and due to land dispute, the petitioner has falsely been implicated in the present case. Further submits that the informant has obtained an injury report from a private hospital i.e. Paras Global Hospital, Darbhanga which is not sustainable in the eyes of law and the police, after investigation, submitted charge sheet against the petitioner and the petitioner is in custody since 15.09.2021.

Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one.

Considering the fact and circumstances of the case, 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 learned court below where the case is pending in connection with Bisfi (Patauna) P.S.Case No.201 of 2021 with the 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 and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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.

(Rajesh Kumar Verma, J)

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