

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42458 of 2021

Arising Out of PS. Case No.-58 Year-2021 Thana- KHODAWANDPUR District- Begusarai

BITTU KUMAR YADAV @ MANGLA Son of Shiv Kumar Yadav Resident
of Village Mushari, Ward No. 11, P.S. Khodabandpur, District - Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Ranjan, Advocate

For the Opposite Party/s : Mr. Arvind Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 25-01-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner, who is in custody since 11.03.2021, seeks
regular bail in connection with Khodawandpur P.S. Case No. 58
of 2021 registered for offences punishable under Sections 341,
323, 324, 326 and 504 of the Indian Penal Code.

Prosecution case, in brief, is that on 09.03.2021 at
about 4:00, after hearing some sound, the informant along with
his family members went to the field and saw that Bittu Kumar
(petitioner) was assaulting and abusing his father and by means
of sharp weapon (*Hasua*) he tore the mouth of informant's



father and it started bleeding profusely and, thereafter, the petitioner fled away. The informant's father was taken to the local hospital but seeing his serious condition, he was referred to Begusarai where he was admitted in I.C.U. therefore, F.I.R. was lodged on 11.03.2021.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has falsely been implicated in the present case due to ongoing long standing land dispute between the parties. He further submits that from the injury report itself it appears that the nature of injury is simple. Petitioner has clean antecedent and he is in custody since 11.03.2021.

Learned A.P.P., for the State has opposed the prayer for grant of bail to the petitioner.

Considering the facts and circumstances of the case, as well as there is no allegation of tampering the evidence or influencing the witnesses and trial is also not likely to be concluded soon due to COVID-19, the petitioner, above named, is directed to be enlarged on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Magistrate, Manjhaul, Begusarai in connection with



Khodawandpur P.S. Case No. 58 of 2021 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Purnendu Singh, J)

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