

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44120 of 2021

Arising Out of PS. Case No.-24 Year-2021 Thana- LAUKARIA District- West Champaran

Sadhu Yadav S/o Rudal Yadav Resident of Village-Naya Gaon Ward No. 10,
P.S.-LAUKARIYA, District-West Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ajit Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 04-02-2022 Heard the parties through video conferencing.

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

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

The petitioner, who is in custody since 12.06.2021,
seeks regular bail in connection with Laukaria P.S. Case No. 24
of 2021 for the offence punishable under Sections 341, 323,
324, 447, 307, 379, 354, 504 and 506/34 of the Indian Penal
Code.

The prosecution case, in brief, is that while the
informant who is neighbour of the petitioner was putting
garbage in the pan, some altercation took place between the



petitioner and the informant and the petitioner assaulted on her forehead with an iron rod with an intention to kill her.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. He further submits that the petitioner has not assaulted the informant rather he had objected the informant from throwing garbage, as such some altercation took place between them. The allegation of assaulting her is false and the said fact would appear from the injury report which is simple in nature as has been recorded in the impugned order by the court below. The petitioner has clean antecedent and is in custody since 12.06.2021. Hence the petitioner be enlarged on bail.

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

Considering the aforementioned facts and circumstances of the case, period of custody of the petitioner, clean antecedent of the petitioner and there is no allegation of tampering with the evidence or influencing the witnesses, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-I, Bagaha, West Champaran in



connection with Laukaria P.S. Case No. 24 of 2021, subject to the following conditions:-

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

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

(3) 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.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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