

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36237 of 2022

Arising Out of PS. Case No.-140 Year-2021 Thana- RAFIGANJ District- Aurangabad

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Ram Kumar Yadav Son of Gulaich Yadav, R/o- Vill-Simra Jamshed, P.S.-
Rafiganj, Dist.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. Aditya Narayan Singh-1. APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 20-09-2022 Let the defect(s), if any, be removed within two weeks
from today.

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

The petitioner seeks regular bail in connection with
Rafiganj P.S. Case No. 140 of 2021, lodged under Sections 341,
323, 324, 307, 34 of the Indian Penal Code.

As per the prosecution case, the allegation of
assaulting with a view to kill is there in the F.I.R. against four
named accused persons including the present petitioner.

Learned counsel for the petitioner submits that
petitioner and informant are uncle and nephew, it transpires
from the F.I.R. itself that due to petty family dispute the entire
scuffling took place in the family which resulted into filing of

the present F.I.R. Learned counsel for the petitioner further submits that petitioner is in custody since 12.03.2022, having clean antecedent and charge sheet has already been filed in this case. Learned counsel for the petitioner further submits that from the order of District and Sessions Judge it transpires that all injuries are simple in nature.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Rafiganj P.S. Case No. 140 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall

file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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