

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47497 of 2021

Arising Out of PS. Case No.-238 Year-2021 Thana- RAHUI District- Nalanda

DEELIP YADAV Son of Ganga Vishun Yadav Resident of Village -
Nakatpura, P.S.- Bihar, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 08-04-2022 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 seeks regular bail in connection with
Rahui P.S. Case No. 238 of 2021 for the offence punishable
under Sections 147, 148, 149, 341, 323, 324, 307, 379, 504 and
506 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution story, in brief, is that due to land
dispute, both the sides indulged into hot talk and thereafter both
the sides assaulted each other by means of lathi, danda, garasa
and fire arms. Allegation against the petitioner is that in course
of said fight, he has assaulted one Krishna Yadav who is the



informant of this case and also the eye witness causing injury in his right hand. Other injury sustained by him on his forehead is not attributable to the present petitioner. Other accused persons also assaulted the informant on different parts of his body.

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 no information has been assigned with respect to injury no.3 which has been alleged against the present petitioner. However the injury no.4 which the informant sustained in is forehead is of grievous nature, but it is not attributable against the petitioner. Petitioner has clean antecedent and is in custody since 19.05.2021.

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, there is no allegation of tampering with the evidence or influencing the witnesses and the trial is not likely to be concluded soon, 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 Additional Chief Judicial Magistrate-I, Nalanda at Biharsharif in



connection with Rahui P.S. Case No. 238 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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