

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49659 of 2021**

Arising Out of PS. Case No.-454 Year-2020 Thana- GAYA MUFASIL District- Gaya

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SANJAY YADAV Son of Shiv Ratan Yadav Resident of Village - Iguna
Manjhauli, P.S.- Mofassil, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No.2, Adv.

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 24-03-2022 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, 325, 504, 506, 307 and
34 of the Indian Penal Code.

The petitioner along with his associates are said to
have assaulted the informant with various weapons as a
result of which he sustained injuries.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case. In fact,
the petitioner and the informant happen to be co-sharer and
there is land dispute between the parties. He further submits



that as per F.I.R. the allegation against the petitioner is that he gave steel rod blow upon Chandradev Yadav causing head injury. Thereafter, he also gave steel rod blow upon Binod Yadav on his shoulder causing fracture in his shoulder. He further submits that it appears from the injury report that the injury sustained by Chandradeo Yadav is simple in nature and the injury caused on non-vital part of the victim. The petitioner is rotting in judicial custody since 12.03.2021.

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

Considering the facts and circumstances of the case, let the, above named, petitioner 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 Mofassil P.S. Case No. 454 of 2020 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 canceled



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.

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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