

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43776 of 2022

Arising Out of PS. Case No.-121 Year-2022 Thana- SUPAUL District- Supaul

Leelanand Yadav Son of Buddhu Yadav Resident of Village - Jhahura Lokha,
(Ward No. -03) P.S.- Supaul, District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Jha, Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 28-11-2022 The learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Supaul (Lokha O.P.) P.S. Case No. 121 of 2022 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 325, 307, 354(B), 379, 504 and 506 of the Indian Penal Code.

As per the prosecution, the informant alleged that this petitioner along with other co-accused persons and 10-11 unknown persons armed with *Lathi*, *Debiya* etc barged into the house of the informant and asked him to withdraw the Supaul



P.S. Case No. 143 of 2017 and upon protest, they assaulted the informant and his family members. Further, it is alleged that this petitioner assaulted the informant's daughter by means of *Dabia* and also the accused persons snatched Rs. 15,000/-, some land related documents and some jewelleryes.

The main submissions advanced by learned counsel Mr. Arun Kumar Jha appearing for the petitioner are that against the petitioner there is criminal antecedent of four cases lodged by the informant and his wife and the petitioner has got bail in all the said cases, the petitioner is specifically alleged to have assaulted the injured Babli Kumari who sustained simple injuries on her body and in this regard a statement has been made in paragraph No. 7 of the petition and the petitioner has been languishing in jail since 17.04.2022 and both the parties are agnates and the FIR was lodged after inordinate delay of about 2 months.

On the contrary, learned counsel appearing for the informant and learned APP Mr. Rajendra Nath Jha appearing for the state have vehemently opposed the bail prayer and submitted that the petitioner is habitual in assaulting the prosecution party and against him four criminal cases had earlier been lodged by the prosecution party and two sharp cut injuries were found on



the body of the informant's daughter.

Heard both the sides and perused the FIR and the order impugned. Having considered petitioner's past criminal history relating to four cases which were lodged by the prosecution party against him and also keeping in view the nature of allegation specifically appearing against him from the FIR, in the opinion of this Court, the petitioner does not deserve to the privilege of bail at this stage but however, considering the nature of the injuries sustained by the informant's daughter described in the paragraph No. 7 of the petition, it will be proper to enlarge the petitioner provisionally for the period of one year on provisional bail. Accordingly, let the petitioner be enlarged on provisional bail for the period of one year on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court in Connection with Supaul (Lokha O.P.) P.S. Case No. 121 of 2022 and during the provisional bail period his conduct will be kept under watch by the police station concerned. If any further criminal activity of the petitioner in respect of the family of the informant is found by the police or in this regard any complaint is made by the informant or his family member, the P.S. concerned after verifying the allegation immediately inform the



said activity to the Court concerned which shall take serious action against the petitioner by cancelling his bail bond if substance is found in the allegation. If the petitioner’s conduct remains cordial to the prosecution and he is not found to be involved in any other criminal activity then the Court below will confirm the provisional bail of the petitioner after being satisfied from the report of the P.S. concerned.

(Shailendra Singh, J.)

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