

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44517 of 2022

Arising Out of PS. Case No.-127 Year-2022 Thana- RANIGANJ District- Araria

GAURAV KUMAR YADAV @ GAURAV KUMAR SON OF
KHELANAND YADAV R/O VILLAGE- HASANPUR, P.S.- RANIGANJ,
DIST.- ARARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-11-2022 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered for the offence under Sections 447, 341, 323,
325, 307, 504, 506/34 of the Indian Penal Code.

The informant is subjected to assault by means of
lathi and danda on account of a land dispute by the
petitioner and others 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. He
further submits that there is admitted land dispute



between the parties and they happen to be the co-villagers. In fact, the alleged occurrence took place on 10.04.2022 whereas the F.I.R has been instituted on 15.04.2022 after lapse of almost five days without explaining the plausible delay which creates doubt over the prosecution version. He further submits that this case is a counter blast of Raniganj P.S. Case No. 125 of 2022 filed by the mother of the petitioner against the informant and others. He further submits that according to the F.I.R. the accusation against the petitioner is of inflicting garahail blow on the head of daughter of the informant but the injury report of the injured suggests that the victim has sustained only one incised wound which is simple in nature and the same is evident from Annexure-2 to this application. He further submits that the petitioner and his family members have sustained grievous injury caused by the informant side and this fact is apparent from the Annexure-4 to this application. Hence, the petitioner may be granted the privilege of anticipatory bail.

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 in the event of arrest of surrender before the court below within a period of four weeks from the date of order 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 Raniganj P.S. Case No. 127 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C. as also 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)

brajesh/-

U		T	
---	--	---	--

