

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47224 of 2022

Arising Out of PS. Case No.-230 Year-2022 Thana- PHULPARAS District- Madhubani

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SANJAY YADAV SON OF THAKAI YADAV R/O VILLAGE- MURLI, P.S.-
PHULPARAS, DISTRICT- DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Gagan Deo Yadav with Mr. Ravi Prakash, Advocates
For the Opposite Party/s :		Mr. APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-11-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
448, 307, 354(B), 379/34 of the I.P.C.

According to prosecution case, in brief is that due to
earlier land dispute petitioner Sanjay Sah entered into the house
and assaulted with *Khanti* on the head of the informant and also
caught and fell down on earth due to which she became half
necked and also snatched golden chain about 1 *bhar*. It is further
alleged that one Chedi Sah came there and tried to save her, in



the meantime petitioner Sanjay Sah assaulted with *Khanti* on the head of Chedi Sah and snatched Rs. 50,000 from the said Chedi Sah. Also, the petitioner assaulted with *Khanti* on the head of daughter-in-law of informant. Thereafter, villagers assembled there and taken to the injured in the hospital for treatment.

Learned counsel for the petitioner submits that petitioner has clean antecedent and due to land dispute he has falsely been implicated in the present case. He further submits that the allegation against the petitioner as per the FIR is that the petitioner has assaulted on the head of the informant and other persons. He further submits that injury report of the informant and other persons suggests that all injuries are simple in nature.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender within a period of four weeks, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Phulparas P.S. Case No. 230 of 2022, subject to the conditions as laid down under Section



438(2) of the Cr.P.C. and also 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled 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.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any state 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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