

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51369 of 2022

Arising Out of PS. Case No.-146 Year-2022 Thana- BARAUNI District- Begusarai

Ram Balak Yadav, S/o Late Jugo Yadav, Resident of Bariyahi, P.S.- Baruni
(Chakiya), District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nagendra Kumar, Advocate

For the Opposite Party/s : Mrs.Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 21-12-2022 This petition has been taken up for out of turn hearing on a mentioning slip being moved on behalf of the petitioner that the petitioner is employed in a private company and the company has served final termination letter if he would not join the service.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

In the present case, the petitioner seeks bail in connection with Barauni (Chakia) P.S. Case No. 146 of 2022, registered for the alleged offences under Sections 341, 323, 504, 307/34 of the Indian Penal Code.

As per prosecution case, when the informant demanded back Rs. 1 lac which he has given him earlier, the petitioner assaulted him with spade on his head and hand



causing injuries to him. Thereafter, the other co-accused persons also caught hold of him and assaulted him.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The present case is counter blast of Barauni (Chakia) P.S. Case No. 147 of 2022 in which the informant is an accused under Sections 307 IPC and other allied sections of the IPC. The petitioner has been made accused due to land dispute and there is no material to show that any money was due to the informant. The medical report shows injury on the head is simple whereas, the injury on the hand has been found to be grievous and both have been caused by hard and blunt object. So the allegation of assault by spade is falsified. The petitioner is in custody since 23.05.2022 and the charge sheet has been submitted.

Learned A.P.P. opposes the prayer for bail submitting that the petitioner caused grievous injury on the informant.

Having regard to the facts and circumstances and submissions made hereinabove and considering the case of free fight for which there is a counter case as well and further considering the submission of charge sheet and the period of custody of the petitioner, the petitioner is directed to be released on bail on furnishing bail bond of Rs.20,000/- (Twenty



Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-II, Begusarai, in connection with Barauni (Chakia) P.S. Case No. 146 of 2022, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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