

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59394 of 2021**

Arising Out of PS. Case No.-113 Year-2020 Thana- SAHARGHAT District- Madhubani

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Ranjeet Yadav Son of Ram Mahesh Yadav Resident of Village - Trimuhan,
P.S.- Saharghat, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

with
CRIMINAL MISCELLANEOUS No. 64273 of 2021

Arising Out of PS. Case No.-113 Year-2020 Thana- SAHARGHAT District- Madhubani

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Laxhmi Yadav son of ram mahesh yadav resident of village - trimuhan, p.s.-
Saharghat, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 59394 of 2021)

For the Petitioner/s : Mr. Murari Narain Chaudhary

For the Opposite Party/s : Mr. Navin Kumar Pandey

(In CRIMINAL MISCELLANEOUS No. 64273 of 2021)

For the Petitioner/s : Mr. Murari Narain Chaudhary

For the Opposite Party/s : Mr. Madhura Nand Jha

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 22-06-2022

Cr. Misc. No. 59394 of 2021

Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.



Let the defect(s), if any, be removed within a period of four weeks from today.

The petitioner seeks bail in connection with Saharghat P.S. Case No. 113 of 2020 registered for the offence under Sections 307, 341, 342, 354 (B), 457, 504, 506 and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in custody since 26.06.2021.

The allegation against the petitioner is to cause such assault to the husband of the informant, which may cause death alongwith other co-accused persons.

Learned counsel appearing on behalf of the petitioner submitted that the allegation against the petitioner is very much general and omnibus and also the allegation to assault the injured with knife is against co-accused, namely, Laxhmi Yadav. It has also been submitted that petitioner is involved in two criminal cases related with excise and in both the cases, he is on bail and also chargesheet has already been submitted in this case, as such there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State while opposing the prayer of bail fairly conceded that the allegation against this petitioner is very much general and omnibus.



Considering the facts and circumstances as mentioned above, as the allegation against the petitioner as regard to assault is very much general and omnibus, let the petitioner, above named, is directed to be released on bail in connection with Saharghat P.S. Case No. 113 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Benipatti/Incharge Successor Court, subject to the following conditions:

“(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(ii) That one of the bailors shall be Ram Mahesh Yadav, who is the father of the petitioner and deponent of the present bail petition.”



Cr. Misc. No. 64273 of 2021

Heard learned counsel appearing on behalf of the petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period of four weeks from today.

The petitioner seeks bail in connection with Saharghat P.S. Case No. 113 of 2020 registered for the offence under Sections 307, 341, 342, 354 (B), 457, 504, 506 and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in custody since 18.01.2021.

The allegation against the petitioner is to cause such assault to the husband of the informant, which may cause death alongwith other co-accused persons.

Learned counsel appearing on behalf of the petitioner submitted that though allegation as regard to assault is specific against the petitioner by knife but the same is not repeated without having any intervening circumstances, which negate the intention to cause death of the injured. It has further been submitted that the chargesheet has already been submitted in this case, as such there is no chance of tampering with the evidence. While concluding the argument, it has also been



submitted that petitioner is a man of clean antecedent.

Learned APP appearing on behalf of the State while opposing the prayer of bail fairly conceded that the assault is not repeated.

Considering the facts and circumstances as mentioned above, as the assault is not repeated without having any intervening circumstances, negating the intention to cause death, let the petitioner, above named, is directed to be released on bail in connection with Saharghat P.S. Case No. 113 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Benipatti/Incharge Successor Court, subject to the following conditions:

“(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.



(ii) That one of the bailors shall be
Ram Mahesh Yadav, who is the father of the
petitioner and deponent of the present bail
petition.”

(Chandra Shekhar Jha, J)

Ankit/-

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