

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58356 of 2022

Arising Out of PS. Case No.-95 Year-2022 Thana- ASANWA District- Siwan

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LALLAN YADAV @ LALAN YADAV S/o Late Babulal Yadav Resident of
Village- Sonkara Awol, P.S.- Assaon, District- Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 06-12-2022 Heard Mr.Krishna Prasad Singh, learned senior

counsel for the petitioner and learned Additional Public

Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections
307,379,341,323,324,504,506,34 of IPC.

The prosecution case, in short, is that the allegation
against the petitioner is that he assaulted the informant's son
namely Hareram by means of iron rod causing injury on his
head.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent. He has falsely been implicated
in the present case. Further submits that there is case and
counter case between the parties and admitted land dispute



between them. Further submits that it appears from the FIR that the allegation against the petitioner is that he assaulted the informant's son namely Hareram Yadav by means of iron rod but the injury report of Hareram Yadav suggests that the injury is simple in nature caused by hard and blunt substance.

The learned APP for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the 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 Assaon Case No. 95 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other 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 their absence on two consecutive dates without sufficient reason, his bail bonds shall be cancelled by the Court below.



(2) If the petitioner tamper 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 antecedents, 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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