

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70981 of 2021

Arising Out of PS. Case No.-294 Year-2018 Thana- SABAUR District- Bhagalpur

Lallu Yadav Son Of Late Moti Yadav Resident Of Village- Bhaiygaon P.S. -
Goradih District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya, Advocate
For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 19-07-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 147, 149, 341, 323, 354(A), 307 of the Indian Penal Code.

Allegation against the petitioner is that he assaulted to the informant with *Dabia* causing injury on her head.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and in fact the informant is sister-in-law of the petitioner and due to land dispute the present F.I.R. has been instituted. He further



submits that there is admitted land dispute between the parties and for that purpose the informant and his family has filed three other cases against the petitioner. He further submits that as per allegation in the F.I.R. that the petitioner assaulted the informant with *dabiya* on her head. He further submits that it appears from the injury report that the nature of injury is simple in nature and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 16.06.2021.

Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries three more cases other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees 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 Sessions Trial No. 467 of 2021 arising out of Sabour (Goradih) P.S. Case No. 294 of 2018, 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 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 witness, 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 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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