

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2073 of 2022

Arising Out of PS. Case No.-119 Year-2021 Thana- LAUKAHA District- Madhubani

1. PRAMOD YADAV Son of Ram Avtar Yadav Resident of Village- Bishanpur, P.S.- Laukaha, District- Madhubani.
2. Pappu Yadav Son of Ram Avtar Yadav Resident of Village- Bishanpur, P.S.- Laukaha, District- Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baleshwar Kamat

For the Opposite Party/s : Mr.Rajiv Nayan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-05-2022 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners seek regular bail in connection with
Laukaha Police Station Case No. 119 of 2021 (Sessions Trial
No. 236 of 2021), registered for the offences punishable under
Sections 341/323/324/307/504/506/34 of the Indian Penal Code.

The prosecution case, as per the First Information
Report, is that the petitioner no. 1 assaulted the informant by
means of knife, but the informant anyhow saved himself, and
the petitioner no. 2 assaulted the informant by means of dabia,
due to which he sustained head injury.

Learned Counsel for the petitioners submits that



both the parties are co-villagers and there is land dispute between them. He further submits that from perusal of the injury report (Annexure 2), it would be evident that the injuries sustained by the informant are simple in nature and have been caused by the hard and blunt substance, which is not corroborated by the allegation levelled in the First Information Report. He further submits that the police, after completion of investigation, has not submitted charge sheet under Section 307 of the Indian Penal Code. He further submits that the petitioners are in custody since 29.06.2021 and charge sheet has already been submitted against them and as such there is no likelihood that the petitioners will abscond and/or tamper with the evidence.

Regards being had to the submissions made on behalf of the parties and taking into consideration the materials on record and the fact that the injuries sustained by the informant are simple in nature caused by hard and blunt substance, charge sheet has already been submitted and the petitioner is in custody since 29.06.2021, I am inclined to grant regular bail to the petitioners.

This application is, accordingly, allowed.

Let the petitioners, above named, be released on



bail, upon furnishing bail bond of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge, Jhanjharpur, Madhubani, in connection with Laukaha Police Station Case No. 119 of 2021 (Sessions Trial No. 236 of 2021).

This is subject to the condition that the petitioners shall present themselves before the Court, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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