

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23256 of 2023

Arising Out of PS. Case No.-4 Year-2023 Thana- BUXAR INDUSTRIAL District- Buxar

1. Somaru Yadav Son Of Late Raja Ram Yadav
2. Brijesh Yadav Son Of Somaru Yadav
Both Resident Of Village - Gangaura, Police Station - Buxar (Ind.), District - Buxar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Umanath Mishra,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 17-07-2023 Heard learned counsel for the petitioners, learned counsel for the informant and the learned A.P.P. for the State.

2. The petitioners seek bail, who are in custody since 06.01.2023 in connection with Buxar (I) P.S.Case No.04 of 2023, F.I.R. dated 05.01.2023 registered for the offence punishable under Section 147, 148, 149, 341, 323, 324, 307, 302, 379, 504, 506 of the Indian Penal Code.

3. Allegation against the petitioners is that they assaulted to one Govinda Yadav over his head and whole body by lathi and bricks.

4. Learned counsel appearing for the petitioners submits that the petitioners have clean antecedent and they have



falsely been implicated in the present case. Further submits that due to admitted land dispute the present occurrence had taken place. Further submits that as per FIR allegation against the petitioners is that they have assaulted to one Govinda Yadav by lathi and bricks but the injury report of Govinda Yadav suggests that all the injuries inflicted by both the petitioners are simple in nature caused by hard and blunt substance and the police, after investigation, submitted chargesheet against the petitioners and the petitioners are in custody since 06.01.2023.

5. Learned counsel for the informant and learned APP for the State have opposed the prayer for bail of the petitioners.

6. Considering the aforesaid fact, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Buxar (I) P.S.Case No.04 of 2023, with the following conditions:-

(I) Petitioners 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, their bail bond shall be cancelled by the Court below.



(II) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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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