

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24570 of 2023

Arising Out of PS. Case No.-316 Year-2022 Thana- SAHPUR District- Bhojpur

JAGDAMBA YADAV S/O LATE BHUALI YADAV R/O Village- Shahpur,
P.S- Shahpur, Distt.- Bhojpur at Ara (Bihar).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-07-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
324, 307, 379, 504 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the informant
alleges that on account of dispute an altercation took place in
which it is alleged that ten named accused persons including the
petitioner came and started abusing and assaulted the informant,
it is next alleged that petitioner assaulted the informant with
farsa causing injury on head.

4. Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the present case, it is



next submitted that the informant in the FIR has also alleged about other accused persons of assaulting him leading to injury, it is further submitted that there is a case and a counter-case.

5. The learned counsel for the petitioner next submits that though it is alleged that he was assaulted by *farsa* by the petitioner causing injury on head but the blow was not repeated.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that the nature of injury is not mentioned in the anticipatory bail application.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Shahpur P.S. Case No. 316 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, it is made clear that the learned trial court before accepting the bail bonds of the petitioner shall verify the injury of the informant and in the event, if it is found



that the informant suffered grievous injury on head then the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

Adnan/-

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