

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29205 of 2023

Arising Out of PS. Case No.-385 Year-2022 Thana- PARAIYA District- Gaya

Sanjay Yadav @ Sanjay Singh Yadav Son Of Balkeshwar Yadav R/O Village-
Punakala Tola Lohara, P.S.- Paraiya, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Adv.

For the Opposite Party/s : Mr. Rajeev Nayan, App,231

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 07-06-2023 Let the defect(s), if any, be removed within two weeks
from today.

2. Learned counsel for the petitioner submits that due to mis-information, paragraph 3 of the main petition has been wrongly mentioned and, therefore, a supplementary affidavit has been filed showing that there are five criminal antecedents of the petitioner which is on record.

3. Heard learned counsel for the petitioner and learned A.P.P. for the State.

4. The petitioner seeks regular bail in connection with Paraiya P.S. Case No. 385 of 2022 dated 03.11.2022 lodged under Sections 323, 341, 379, 354(B), 452, 504, 506/ 34 of the I.P.C.

5. As per the prosecution case, the specific allegation

against the present petitioner is that he has threatened the informant as well as assaulted the daughter-in-law of the informant.

6. Learned counsel for the petitioner submits that there are in total five criminal cases filed from both the sides against each other. Counsel submits that both families belong to the same village and on every occasion, they used to file case and presently, there are in total ten criminal cases pending between them. Counsel further submits that a long pending land disputes are there between the two families and in five criminal cases, acquittal has been made in two cases of the petitioner and in rest three cases, he is on bail. Counsel also submits that the petitioner is in custody since 07.01.2023.

7. Learned counsel for the State opposes the prayer for bail.

8. Learned counsel for the informant vehemently opposes the prayer for bail and submits that there is specific allegation against the petitioner that he alongwith others have threatened the informant.

9. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount

each to the satisfaction of learned J.M. 1st Class, Gaya in connection with Paraiya P.S. Case No. 385 of 2022 dated 03.11.2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

10. With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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