

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30347 of 2022

Arising Out of PS. Case No.-81 Year-2022 Thana- BETTIAH CITY District- West
Champaran

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Parshuram Yadav Son of Late Rajaram Yadav Resident of- Village- Nautan
Balua, P.S.- Nautan, Dist.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma
For the Opposite Party/s : Mr. Satya Nand Shukla

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 24-01-2023 Heard Ld. counsel for the petitioner and Ld. APP
for the State.

The petitioner seeks bail in connection with Bettiah
Town P.S. Case No.81 of 2022, registered for the offences
punishable under Sections 341, 323, 504, 506, 307, 379,
349 of the Indian Penal Code.

The prosecution case as emerges from the FIR is
that on 03.02.2022 at around 5:30 p.m. when the



informant, Branch Manager, Sansariya, Bihar Gramin Bank, was returning to his home from office, 14-15 miscreants hidden in ambush came and surrounded him and started assaulting him brutally with legs, shoes and fist as a result of which the informant sustained severe injury on his forehead, eyes and nose. It is also alleged that the accused-persons tried to kidnap the informant and snatched his gold chain, mobiles and wallet containing Rs. 6000/-. Moreover, on information of the local people, police reached the place of occurrence and one Parshuram Yadav was apprehended.

Ld. Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that there is no injury on record as it appears from the Order passed by Ld. Trial Court rejecting the bail petition of the petitioner. He further submits that the alleged assault is not serious in nature and the same has been caused by fist and kicks. He also submits that investigation in this case is complete and charge-sheet has already been submitted.

He further submits that the petitioner has been



languishing in jail since 04.02.2022.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has earlier been made accused in three other cases in which he is on bail.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Chief Judicial Magistrate, West Champaran at Bettiah in connection with Bettiah Town P.S. Case No.81 of 2022 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that



investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a



period of one month and the Registry is directed to issue the
certified copy of this order only after removal of office
objections.

(Jitendra Kumar, J)

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