

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33936 of 2023

Arising Out of PS. Case No.-272 Year-2020 Thana- BAHERI District- Darbhanga

Amrendra Yadav @ Amrendra Kumar S/o- BAIDHNATH YADAV Village-
Amta Ps- Baheri Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kedar Jha

For the Opposite Party/s : Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

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

The petitioner seeks bail in connection with Baheri
P.S. Case No. 272 of 2020 registered for the offences punishable
under Sections 147, 148, 149, 341, 323, 354B, 325, 380, 504 of
the I.P.C. and Section 307 of the I.P.C. added on 07.02.2021.

As per prosecution case, petitioner and others
made indecent behavior with the informant's sister. It is further
alleged that Amrendra Yadav (Petitioner) assaulted Shubhkala
Devi by means of rod (sariya) on her stomach.

Learned counsel for the petitioner submits that
petitioner is in custody since 11.04.2023. Petitioner bears no
criminal antecedent. Learned counsel further submits that there
is a case and counter case between the parties on the same date



of occurrence. Where there is a case and counter case free fighting cannot be ignored and in this context facts are generally exaggerated. Learned counsel further submits in para 9 of his bail petition that according to injury report of Sikha Kumari and Subhkala Devi, minor swelling was found over the hand and shoulder of Sikha Kumari. Nature of injury was simple. Doctor found no any external injury over any part of body of Subhkala Devi. Medical report of Subhkala Devi makes the fact given in the F.I.R. is false and baseless. Learned counsel further submits that the petitioner is innocent and has committed no offence as alleged in the F.I.R.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, keeping in view clean antecedent of the petitioner, argument advanced on behalf of the parties and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate VII, Darbhanga in connection with Baheri P.S. Case No. 272 of 2020, subject to following



conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

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

(Alok Kumar Pandey, J)

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