

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35882 of 2023

Arising Out of PS. Case No.-206 Year-2022 Thana- YADOPUR District- Gopalganj

Ramji Yadav, son of Rajendra Yadav. Village- Baripatti, PS- Yadavpur, Dist-
Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akshay Ashish, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 28-07-2023 Heard Mr. Akshay Ashish, learned counsel appearing
on behalf of the petitioner and the learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Jadopur P.S. Case No. 206 of 2022 registered for the offences punishable under Sections 147, 148, 149, 323, 324, 307, 448 of the Indian Penal Code.

3. Allegedly while the informant was taking his meal, in the meantime, all his *Pattidar*, named in the F.I.R., came there and started demolishing his hut and when the same was protested, Ramji Yadav (petitioner) assaulted him by means of *Garasa* over his head, due to which he sustained head injury. It is further alleged that other accused persons also assaulted other family members of the informant, who have also sustained injuries.



4. Learned counsel appearing on behalf of the petitioner submits that from the narration of the F.I.R. it is evident that the persons of both sides are *Gotias* and on account of land dispute a scuffle took place between the parties, which resulted into lodging of case and counter case, being Jadopur P.S. Case No. 205 of 2022, registered by Indu Devi, which is on earlier point of time. He has further drawn the attention of this Court to the impugned order and with reference thereto he submits that all the injuries sustained to the informant as well as his family members have been found to be simple in nature. He next submits that the petitioner is a man of fair antecedent and he undertakes that he will not repeat such crime in future or indulge in intimidating the witnesses.

5. On the other hand, learned APP for the State opposes the bail application and submits that specific allegation of assault has been levelled against the petitioner.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of injuries as well as case and counter case, coupled with the fair antecedent, let the petitioner, named above, in the event of his arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on



bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Gopalganj in connection with Jadopur P.S. Case No. 206 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with the further condition that one of the bailors shall be the own/close relative of the petitioner.

(Harish Kumar, J)

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