

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40893 of 2023

Arising Out of PS. Case No.-101 Year-2022 Thana- SAKURABAD District- Jehanabad

Awadhesh Yadav Son Of Ahiwaran Yadav, Resident Of Village- Sankar Bagha, P.S.- Sakurabad, Distt- Jehanabad.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Sakurabad P.S. Case No.- 101 of 2022 registered for the offences punishable under Sections 341, 323, 307, 379, 504, 506, and 34 of the Indian Penal Code. He has one criminal antecedent.

3. Learned counsel for the petitioner submits that the petitioner assaulted the informant on her head with a pasuli which resulted in a head injury. Later the petitioner along with one co-accused Ankit Kumar pressed the neck of the informant's daughter.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case.



5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the facts and circumstances of the case wherein it is submitted that both the parties are co-sharers and they had a land dispute in which the alleged occurrence is said to have been taken place but the allegation against the petitioner is that of assaulting the informant on head by pasuli, the injury is said to have been caused by hard blunt substance and it is simple in nature, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above named shall be enlarged on bail in connection with Sakurabad P.S. Case No.- 101 of 2022 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Jehanabad, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and further condition that in case the petitioner is found involved in any other offence of similar nature, it will be open for the informant to seek cancellation of the bail of the petitioner.

7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his



criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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