

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47834 of 2022

Arising Out of PS. Case No.-326 Year-2022 Thana- MAJHAULIA District- West Champaran

ARJUN YADAV Son of Kishun Yadav R/V- Baithaniya, P.s- Majhauria, Dist-
West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra, Adv.

For the Opposite Party/s : Mr.Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 08-02-2023 Heard learned counsel for the petitioner and the

learned A.P.P. for the State as well as learned counsel for the

informant

The petitioner seeks bail in a case registered for
the offence under Sections 147, 149, 341, 323, 447, 337, 379,
307, 324, 504 and 506 of the Indian Penal Code.

The informant is said to have been assaulted by the
petitioner by way of iron farsa causing injury on his head.
Allegedly, when the family members of the informant came
to rescue him, they have also been assaulted by the
petitioner and his associates by means of deadly weapons
causing them to sustain injuries.

Learned counsel appearing for the petitioner



submits that the petitioner, who is of clean antecedent, is innocent and has falsely been implicated in this case. He further submits that there is homestead land dispute between the parties on account of that both the parties entered into an scuffle in which both sides have sustained injuries for which case and counter case have lodged by them. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 22.06.2022.

Learned A.P.P. for the State as well as learned counsel for the informant has vehemently opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Majhaulia P.S. Case No. 326 of 2022 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the



Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) 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.

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.

(Rajesh Kumar Verma, J)

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