

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52738 of 2023

Arising Out of PS. Case No.-180 Year-2023 Thana- DAUDNAGAR District- Aurangabad

MANOJ YADAV @ MANOJ KUMAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rupa Kumari, Advocate
For the Opposite Party/s : Mr.Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is in judicial custody in connection with Daudnagar P.S. Case No. 180 of 2023 registered under Sections 341, 323, 307, 448 and 504/34 of the Indian Penal Code lodged on 29.03.2023 by the informant, Ajit Kumar.

As per the prosecution story, the informant's wife and his family members came to his house and the specific allegation against the petitioner is of giving 'garasa' blow which caused injury. Accordingly, the FIR.

Learned counsel for the petitioner has taken this Court to paragraph-7 of the petition to show that the injury has been found to be simple in nature and further the police did not find any 'garasa' rather 'lathi' were there. It is his further



submission that irrespective of the outcome of the present case, he is ready to pay Rs. 10,000/- to the informant through Bank draft issued by the local branch, State Bank of India.

Learned APP for the State opposes the prayer for bail stating that he is the actual culprit.

Taking into account the aforesaid submission put forward by the learned counsel for the petitioner and that the injury has been found to be simple in nature, he is in custody since 30.03.2023 (as stated in paragraph-4 of the petition), he has no criminal antecedent and has lodged a case under section 498 of the Indian Penal Code, this Court is inclined to grant him privilege of bail, subject to the undertaking given by the petitioner, as stated above regarding the payment.

Let the petitioner be released on bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned SDJM, Aurangabad in connection with Daudnagar P.S. Case No. 180 of 2023, subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date



before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Jagdish/-

U		T	
---	--	---	--

