

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63556 of 2023

Arising Out of PS. Case No.-208 Year-2023 Thana- SURYAGARHA District- Lakhisarai

MANOJ YADAV Son of Rambilash Yadav Resident of Village-Rampur,
Police Station-Suryagarha, District-Lakhisarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 17-10-2023 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 Suryagraha P.S. Case No. 208 of 2023 registered for the offences punishable under Sections 341, 323, 307, 354, 379 and 34 of the Indian Penal Code. He has got no criminal antecedent.

3. As per the prosecution story, on 04.06.2023 at 8 am when the informant asked his parents about sale of his share of wheat, his parents asked the petitioner and other accused persons to kill the informant on which the petitioner assaulted on the head of the informant by means of lathi and other accused persons also assaulted him. Ram Vilash Yadav snatched a gold chain from informant's neck and when informant's wife



came to his rescue, she was also assaulted and humiliated.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner and the informant are own brothers and there is a dispute in the family due to which this occurrence took place in which the petitioner is alleged to have assaulted the informant. It is submitted that the injury caused to the informant is simple in nature.

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

6. Having regard to the submission that there was a dispute between the parties over partition of land, in the alleged occurrence the petitioner is said to have assaulted the informant however, the injury is simple and superfluous in nature, the petitioner has otherwise no criminal antecedent, this Court directs that in case of his arrest or surrender within a period of six weeks from today, the petitioner above named be released on bail in connection with Suryagraha P.S. Case No. 208 of 2023 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 Chief Judicial Magistrate, Lakhisarai subject to the conditions as laid down under Section 438(2) of



the Cr.P.C.

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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