

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59973 of 2023

Arising Out of PS. Case No.-175 Year-2023 Thana- SHERGHATI District- Gaya

Chutar Yadav Son Of Late Munni Yadav Resident Of Village - Orma, P.S. -
Dobhi, District - Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mahendra Thakur, Advocate Mr. Vijay Kumar, Advocate
For the Opposite Party/s	:	Ms. Nirmala Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 11-10-2023 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 Sherghati (Dobhi) P.S. Case No.175 of 2023 registered for the offences punishable under Sections 341, 323, 342, 308 and 379/34 of the Indian Penal Code. The petitioner has got no criminal antecedent.

3. As per the prosecution story, the allegation against the petitioner is that he had assaulted the informant by lathi on his head due to which blood started oozing out.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case due to land dispute. Learned counsel submits that there is



no repetition of blow and the injury report shows that the injury is simple in nature. It is submitted that the petitioner has otherwise no criminal antecedent.

5. Learned A.P.P. 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 alleged that the petitioner had assaulted the informant by lathi, there is no repetition of blow and the injury report placed before this Court shows that that injury is simple in nature, the petitioner has otherwise no criminal antecedent and his presence may be secured in course of trial, hence, this Court directs that in case of his arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st Sherghati at Gaya in connection with Sherghati (Dobhi) P.S. Case No. 175 of 2023, 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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