

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59502 of 2023

Arising Out of PS. Case No.-57 Year-2023 Thana- CHANDRADIP District- Jamui

RAJESH KUMAR YADAV @ GANESH KUMAR SON OF MOSAFIR
YADAV R/O VILLAGE- ISLAM NAGAR, P.S- CHANDRADEEP, DISTT.-
JAMUI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 05-10-2023

Heard learned Counsel for the petitioner and learned

APP for the State.

2. The petitioner apprehends his arrest in connection with Chandradeep P.S. Case No. 57 of 2023 for the offence registered under sections 341, 323, 307, 354, 504, 506 and 34 of the Indian Penal Code lodged on 01.04.2023 by the informant, Anil Ram.

3. As per the prosecution story, the informant has stated that on 28.03.2023 suddenly the accused persons along with the petitioner came at his Tea Stall on motorcycle and threatened not to take money for the tea/snacks.

4. Upon protest, they resorted to assault. When his elder son – Rahul came to rescue, he was badly injured in his left eye.

5. Further, his younger son Rajeev Kumar too was



assaulted whereafter all accused persons left the place. Accordingly, the FIR.

6. Learned Counsel for the petitioner submits that specific allegation is against Bhushan Kumar of using iron rod causing injury to the informant's son on his left eye. So far as this petitioner is concerned, no specific allegation has been made.

7. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail.

8. Considering the fact that the allegation is mainly against Bhushan Kumar that he assaulted the informant's son causing injury on his eye and the petitioner do not have criminal antecedent, this Court is inclined to extend him privilege of anticipatory bail.

9. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory 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 Additional Chief Judicial Magistrate, Jamui in connection with Chandradeep P.S. Case No. 57 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.



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

10. With the aforesaid observations, the anticipatory bail application stands allowed.

(Rajiv Roy, J)

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