

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58903 of 2022

Arising Out of PS. Case No.-234 Year-2022 Thana- KATORIYA District- Banka

Ravi Yadav @ Ravi Kumar S/o Shyam Lal Yadav @ Sam Lal Yadav R/o
Village- Tulsibaram, P.S.- Katoriya, District- Banka

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar Rai, Advocate
For the Opposite Party/s : Mr. Dashrath Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-02-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 147, 148, 149, 341, 342,
323, 302 and 120(B) of the Indian Penal Code.

According to prosecution case, in brief, as per written
application by informant Ganesh Yadav is that on 01.07.2022,
Dablu Yadav was going to ploughing his field on tractor through
the maize field of the informant, when the son of the informant
namely Upendra Yadav forbade him to pass through his field, as
the maize of the field got damaged. Then on this all F.I.R.
named accused persons including the petitioner altogether
surrounded Upendra Yadav, when he tried to escape from there,
then accused Kanchan Kumar caught his hand and accused
Rohit Kumar hit him over his head with lathi, at which he got



injured. Thereafter, the wife of the informant went to save him, then accused Pappu Yadav assault her over her head with axe, at which she got grievous injury, when villagers came then all accused persons fled away. The wife of the informant succumbed to her injury, during treatment in the hospital.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that as per F.I.R. it transpired that there is no allegation of any assault or overt-act against the petitioner and there is specific allegation of assault against the co-accused namely, Kanchan Kumar and Rohit Kumar. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 01.07.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the learned Court below where the case is pending in connection with Katoriya P.S. Case No. 234 of 2022, subject to 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled 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.

3. 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)

mdrashid/-

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

