

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64343 of 2023

Arising Out of PS. Case No.-247 Year-2023 Thana- SIMRI District- Buxar

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1. Ram Jee Yadav S/O Late Chanar Yadav R/O Keshopur, P.S- Simri, Distt.- Buxar.
 2. Lalu Yadav S/O Ram Jee Yadav R/O Keshopur, P.S- Simri, Distt.- Buxar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Radha Krishna, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 06-12-2023 Heard learned counsel for the petitioners, learned counsel for the informant and learned Additional Public Prosecutor for the State.

2. The petitioners seek regular bail in connection with Simri (Hata O.P.) P.S. Case No. 247 of 2023, lodged on 18.07.2023, under Sections 147/148/149/ 341/323 /325/ 307 / 354B/379/504/506 of the I.P.C.

3. As per the prosecution, FIR has been lodged against seven named accused persons alleging that the cow of the petitioner was going on and with a view to throw the cow dung the entire dispute has arisen which resulted into scuffling and injury to the informant side.

4. Learned counsel for the petitioners submits that



petitioners and informant are adjacent neighbour and resident of same village. The cause of dispute is already mentioned in the FIR. For the same date and place of occurrence one case from the informant side, namely, Simri (Hata O.P.) P.S. Case No.247 of 2023 and another from the petitioners' side, namely, Simri(Hata O.P.) P.S. Case No.248 of 2023 have been lodged. Counsel submits that antecedent of the petitioners is clean. They are in custody since 19.07.2023.

5. Learned counsel for the State opposes the prayer for bail. Learned counsel for the informant vehemently opposed the prayer for bail and submits that grievous injury has been caused from the informant side and the petitioner may not be release on bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioners, above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Buxar, in connection with Simri (Hata O.P.) P.S. Case No.247/2023, subject to the following conditions:

(i) One of the bailor should be the family member of the petitioners who shall provide official document to show his



bona fide;

(ii) The petitioners 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 their bail bonds by the Trial Court itself;

(iii) The petitioners shall appear before the concerned police station every month for one year to mark attendance;

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

(v) The petitioners 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.

(Dr. Anshuman, J)

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