

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63596 of 2022

Arising Out of PS. Case No.-338 Year-2022 Thana- MAJHAULIA District- West Champaran

BASUDEV YADAV @ BASDEV RAUT S/O LATE RUDAL YADAV
Resident of village- Baithaniya, Ward no- 05, P.S.- Majhauria, District- West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sanjeev Kumar, Adv.
For the Opposite Party/s	:	Mr.Rana Randhir Singh. APP
For the Informant	:	Mr.Sachida Nand Rai, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-02-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 341/323/324/307/379/34 of IPC.

The allegation against the petitioner is that he along
with other accused persons have indiscriminately assaulted the
informant's side.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case due to land dispute. No
such occurrence, in the manner as alleged, has ever taken
place. The allegation leveled against the petitioner is not



specific rather general and omnibus in nature. Specific allegation is against the petitioner is to assault Dewan Yadav, whose injury was found simple in nature. For the alleged occurrence, there is case and counter-case between the parties and both sides have sustained injuries, which are simple in nature. Petitioner has no criminal antecedent.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail by submitting that petitioner has one criminal antecedent i.e. Majhaulia P.S. Case No.561 of 2021 but in para-3 of this application, it is mentioned that petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, since the injury is simple in nature, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Majhaulia P.S. Case No.338/2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

However, learned trial court shall accept the bail bond



of the petitioner after verifying whether the petitioner has the said criminal antecedent or not. If it is found that petitioner has criminal antecedent vide Majhaulia P.S. Case No.561/2021, his bail bonds shall not be accepted.

(Anjani Kumar Sharan, J)

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