

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69079 of 2023

Arising Out of PS. Case No.-115 Year-2022 Thana- AKHODHIGOLA District- Rohtas

MUNNA YADAV @ MUNNA KUMAR son of Shri Ramjee Yadav Village-
Akorhi Ps- Akorhigola Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Avnish Kumar Singh, Advocate
For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-10-2023 Heard Mr. Avnish Kumar Singh, learned counsel
for the petitioner and Mr. Bharat Bhushan, learned APP for the
State.

2. The petitioner is in judicial custody in connection
with Akorhigola P.S. Case No. 115 of 2022 for the offence
punishable under Sections 147, 149, 323, 324, 325, 307, 504,
506 of the Indian Penal Code lodged on 21.8.2022 by the
informant, Ravi Shekhar Singh.

3. As per the prosecution story, the allegation is that a
host of accused persons assaulted the informant's side and in the
process, the allegation against this petitioner and one
Ramvachan Yadav is of assaulting the informant's father which
resulted into fracture in his hand. There is other allegation
against the accused persons. Accordingly, the FIR.



4. It is the case of the petitioner that in the village due to small issue, there was scuffle which resulted into case and counter case and there are injuries on the accused side also. It is further the case of the petitioner that some similarly placed accused persons including Ramvachan Yadav against whom the allegation is of causing fracture in the hand of the informant's father along with this petitioner, has since been granted bail in Cr. Misc. No. 59968 of 2023 and analogues cases by a coordinate bench of this Court on 8.9.2023.

5. The last submission is that irrespective of the outcome of the present case and/or accepting the allegation, the petitioner intends to contribute Rs. 10,000/- through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of the concerned Court to be handed over to the informant after checking the credential.

6. Learned APP opposes the prayer submitting that the petitioner was one of them who caused injury to the informant's father.

7. Taking into account the aforesaid submission put forward by the parties as also the fact that there is case and counter case, the petitioner has clean antecedent and similarly placed similar placed co-accused Ramvachan Yadav has since



been granted bail, as stated above, this Court is inclined to extend him the privilege of bail subject to payment of Rs. 10,000/- as undertaken by the learned counsel for the petitioner(s) to be paid by Demand Draft of local SBI to be submitted to the trial Court and handed over to the informant after checking credentials.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate,-1st Class, Dehri, Rohtas, Bihar, in connection with Akorhigola P.S. Case No. 115 of 2022 subject to the following conditions:

(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 his 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 his bail bonds.

9. With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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