

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65563 of 2022

Arising Out of PS. Case No.-292 Year-2022 Thana- DEHRI TOWN District- Rohtas

Deepak Kumar Yadav S/o Indrijit Singh @ Indrajeet Yadav R/o Village-
Sahaspur, P.S.- Barun, Distt- Aurangabad, Bihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivnandan Bharti, Advocate
For the Opposite Party/s : Mr. Ganesh Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 04-04-2023 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 341, 323, 325, 307, 379,
504, 506, 34 of the Indian Penal Code.

According to prosecution case, in brief, is that the
informant Jai Prakash Yadav @ Biru alleging therein that on
01.05.2022 at about 9 A.M. petitioner and other persons are
abuses and assaulted by means of iron rod and as the result his
right hand was injured and petitioner was also snatched his
golden chain and other persons were theft Rs.1200/-.

Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. He further submits that it appears from the F.I.R.



that the allegation against the petitioner is that he has assaulted the informant by means of iron rod on his hand and the injury report of the informant is quoted herein below :-

“(1) Cut in left hand.

(2) Cut present scalp CT heat NCCT was advised (crown) areas.

MOI -/ cut below left eye.

Opinion – injury no.(1) As per radiologist there is fracture of 1st metacarpal bone of left hand.

Injury No.(2) As per radiologist.”

Learned counsel for the petitioner further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 20.08.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries one criminal antecedent other than the present one.

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 Dehri Nagar (Indrapuri) P.S. Case No. 292 of 2022 arising out of G.R. No. 401 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)

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