

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.66181 of 2022**

Arising Out of PS. Case No.-258 Year-2022 Thana- AMAS District- Gaya

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1. JUGESH YADAV @ YOGESH KUMAR SON OF RAMDEV YADAV R/O VILLAGE- KORMATHU, P.S.- AMAS, DISTRICT- GAYA
  2. NAGENDRA YADAV SON OF RAMDEV YADAV R/O VILLAGE- KORMATHU, P.S.- AMAS, DISTRICT- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate  
For the Opposite Party/s : Mrs. Sangeeta Sharma, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      18-03-2023                      Heard learned counsel for the petitioners and learned  
Additional Public Prosecutor for the State.

Petitioners seek bail in a case registered for the offences punishable under Sections 147, 148, 341, 323, 307, 379 and 506 of the Indian Penal Code.

Prosecution case, in brief, is that as per written report of the informant Nitish Kumar is that on 12.07.2022, at about 069:00 A.M., informant went to ask about land dispute from the accused/petitioners and other co-accused persons, in the meantime, the accused/petitioners assaulted the father of informant on his head with Garasa and also caused injury to the finger and mouth, thereafter, father of the informant fell down



on the ground in unconscious position. It is further alleged that co-accused Bhola Yadav and Rajdeo Yadav assaulted the informant and further the accused/petitioner Jugesh Yadav assaulted with iron rod to his brother Vijay Yadav which caused fracture injury to his hand. Said Basanti Devi, Koshila Devi, Mamta Devi, Sunita Devi assaulted with Lathi Danda to Heman Yadav which caused fracture injury to his left hand. Further, Nardeo Yadav snatched golden chain from the neck of Heman Yadav and also snatched Rs.10,000/- from his pocket. It is further alleged that injured persons were brought to Samudayik Swastha Kendra, Amas and thereafter they were referred to A.N.M.C.H, Hospital for better treatment.

Learned counsel for the petitioners submits that petitioners are innocent and they have falsely been implicated in the present case due to admitted land dispute. He further submits that there is case and counter-case between the parties and as per allegation as alleged in the F.I.R. that the petitioner No. 1, namely, Jugesh Yadav @ Yogesh Kumar assaulted the father of the informant and Vijay Yadav with iron rod. He further submits that the injury report of the father of the informant and Pramod Yadav suggests that the injury is grievous in nature and the injury report of Vijay Yadav suggests that the



injury is simple in nature caused by hard and blunt object. He further submits that the allegation against the petitioner No. 2, namely Nagendra Yadav is concerned that there is no specific allegation of any assault or any overt-act and the allegation against the petitioner No. 2 is general and omnibus in nature. He further submits that the police after investigation submitted the charge sheet against these petitioners. The petitioners are in custody since 04.08.2022.

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

Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Amas P.S. Case No. 258 of 2022, subject to the following conditions:-

1. Petitioners 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 their absence



on two consecutive dates without sufficient reason,  
their bail bond shall be cancelled by the Court below.

2. If the petitioners tamper 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  
petitioners and in case at any stage it is found that the  
petitioners have concealed their criminal antecedent,  
the court below shall take step for cancellation of bail  
bond of the petitioners. 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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