

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67301 of 2022**

Arising Out of PS. Case No.-156 Year-2021 Thana- LAKHNAUR District- Madhubani

GOPAL YADAV Son of Wakil Yadav Resident of Village- Rahitol
(Madanpur), P.S.- Lakhnaur(R.S. O.P.), District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Prasad Yadav, Adv.

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

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

3 27-03-2023 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, 324, 307, 354(B), 379, 504, 506 and 34 of the Indian Penal Code.

According to prosecution case, there is allegation against the petitioner of assaulting the informant on his head by means of farsha and also torn the sari and blouse of the daughter of the informant and also snatched her golden Mangalsutra.

Learned counsel for the petitioner submits that the petitioner is innocent and he has falsely been implicated in the present case. He further submits that due to admitted land dispute, the present F.I.R. has been instituted against the petitioner. He further submits that there is case and counter case



between the parties and the present case is the counter blast of Lakhnaur P.S. Case No. 146 of 2021. He further submits that the allegation against the petitioner as alleged in the F.I.R. does not support the medical evidence and the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 14.07.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner on the ground that the 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 Lakhnaur P.S. Case No. 156 of 2021, 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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